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FIFTH EDITION



MEXICO.


Published and Printed by THE AMERICAN BOOK & PRINTING Co.

Successors to F. P. HOECK & Co.

1st San Francisco Street No. 12

1907

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OF THE

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DEPARTMENT OF STATE

DEVELOPMENT, COLONIZATION AND INDUSTRY OF THE MEXICAN REPUBLIC.

SECTION THIRD

The President of the Republic has been pleased to send me the following decree:

"PORFIRIO DIAZ, Constitutional President of the United States of Mexico, makes known to their inhabitants:

That the Congress of the Union has thought well to decree as follows:
The Congress of the United States of Mexico decrees:

MINING LAW OF THE UNITED STATES OF MEXICO.

SECTION 1.

ABOUT MINES AND MINING PROPERTY.

Art. 1. Mining property in the United States of Mexico shall be governed by the following bases, which will be regulated by the Executive Government in accordance with its constitutional faculties.

Art. 2. Subject to the present law are those mineral substances which cannot be worked unless previous concession be obtained and those for whose extraction, work is required which may put in danger the lives of the workmen, the safety of the workings or the stability of the surface.

Art. 3. The mineral substances, for working which a previous concession is required under any circumstances, are those which are hereafter enumerated, whatever be the nature, shape or situation of their respective ore bodies:

A. Gold; platinum; silver, quicksilver; iron, except marsh ores; loose surface ores and ochres, which are worked as colouring matter; lead; copper; tin, except float tin; zinc; antimony; nickel; cobalt; manganese; bismuth and arsenic; be they found in native state or mineralized.

B. Precious stones, rock-salt and sulphur.

Art. 4. The owner of the ground can work freely, without necessity for a special concession in any case whatever, the following mineral substances:

The mineral combustibles: oils and mineral waters: the rocks of the ground in general, whether they serve directly or form part of materials for construction or ornamentation: the matter which forms the ground, as earths, sands and clays of all kinds; the mineral substances excepted from concession in Article 3 of this law and generally, all those that are not mentioned in the same.

Superficial or subterraneous excavations which the working of any of these substances may require, shall always be subject to the regulations which are decreed for order and security in the mines.

Art. 5. Legally acquired mining property and that which in future will be acquired in accordance with this law, shall be irrevocable and perpetual as long as the Federal property tax has been paid, in accordance with the regulations of the law by which said tax is established.

Art. 6. The newly acquired primordial mining title will be given by the Department of Development according to the regulations of this law.

Art. 7. Mining property, except in the case of placers and superficial ore bodies, is understood to be only underground and does not include the surface, which continues under the dominion of its owner, except that part of the same which the miner has to occupy in the cases and under the conditions mentioned in Art. 11 of this section.

Art. 8. The taking out of produce from a mine is completely limited by the respective boundaries and only can these boundaries be passed in accordance with the provisions of the Regulations, when the ground is unoccupied and after previous request for the respective amplification of the concession.

In order to enter into another's field, the consent of the owner, is absolutely necessary, except in cases of legal right of way.

Art. 9. The water brought to the surface and coming from subterraneous workings of mines belongs to the owners of the same and the regulations of the common law have to be observed in regard to the rights of owners of the ground through which these waters pass.

Art. 10. The work done for opening and utilizing mines and placers is for public benefit, therefore, in case of non agreement forcible expropriation can be proceeded with for the ground necessary for this object.

Art. 11. The mining concessionaire is free to make arrangements with the owners of the surface ground for the occupation of the surface he needs, in order either to work placers or superficial ore bodies or to establish buildings and other mining requirements, but in case both parties do not come to an agreement in regard to extent or price, the expropriation will be proceeded with through means of the local judge of first instance, the following proceedings being observed until Art. 27 of the constitution be regulated.

I. Each party shall name an appraising expert and both experts shall present their valuation within eight days time counted from the day they received their appointment. If the appraisers do not agree, the judge will name a third expert as umpire, who shall give his decision within the peremptory time of eight days counted from appointment. The judge, taking into account the opinions of the experts, and the proof which both parties present to him whilst the experts are preparing their statements, shall fix the superficial extent and the amount of the indemnity within the next eight days following. The decision of the judge shall be binding and against it there shall be no other recourse but that of responsibility.

II. In case the owner of the ground which needs to be occupied does not name his appraising expert within eight days after being notified by the judge, this functionary shall officially name an appraiser to represent the interest of the owner.

III. In case it be uncertain or doubtful who is the possessor or owner of the property which has to be occupied, the judge shall decide as amount of indemnity the sum resulting from the appraisements of the expert named by the concessionaire and of the one which he himself

appointed in representation of the legitimate owner and shall make deposit of said amount in order that the same be delivered to the corresponding party.

IV. The experts in making their appraisements, shall base these on the value of the surface ground, the damage which immediately results to the property and the rights of way which are to be established on the same.

Art. 12. Mining property and other ordinary property bounding on it, shall, as the case may be, have the privilege of and be subject to legal right of way as regards free passage, conveyance of water, drainage and ventilation, and the judges shall conform in their decrees regarding the same and the corresponding indemnities, to the legislation of each State, Federal District or Territory, unless the same be modified by the following ruling.

I. The legal right of way of drainage consists: on the one hand, in the obligation which according to Art. 21 of this law the owner of a mining field is under, to indemnify the owner of another field for the damage done to him by not keeping up the drainage of the subterraneous workings, or not draining sufficient to keep the water from flowing from one to the other; on the other hand, in the obligation which all owners of mining fields are under, to permit the passage through their ground of tunnels or adits whose exclusive and necessary object is the drainage of one or various workings.

II. The drainage tunnels when not driven on the strength of the contract authorized by Art. 23 of this law, can only be undertaken by the owner or owners of mining fields to whom the tunnel is an absolute necessity.

III. In the case supposed by the foregoing clause, all the owners of mining fields which derive benefit from the drainage obtained through the tunnel, shall be obliged to pay their part of the indemnification, in proportion to the benefits received, taking into consideration the nature and the condition of the mine.

IV. The driving of a tunnel shall not be commenced without previous permission given by the Department of Development, after hearing the opinion of the respective mining agent and after examination and approbation of the drawings, in which the direction and the section of the projected tunnel shall be detailed.

V. The paying ore, found while driving the tunnel, shall belong, in case it is encountered in lawfully conceded mining fields, to the owner of these, and if found in unoccupied ground, it shall be divided amongst the owners of all the fields which are benefitted by the tunnel, in the proportion established by the foregoing clause III.

VI. If, when a tunnel is being driven, and one or more veins are discovered in unoccupied ground, a request be made for the grant of the respective fields or of the unoccupied surplus parts, then the rulings of Articles 14 and 17 relative to this law shall be applied, considering those who undertook to drive the tunnel as explorers, in accordance with the final part of Art. 13.

VII. Once the permission mentioned in the foregoing clause IV being given by the Department of Development, only in virtue of a special contract can other persons but those who receive benefit from the tunnel be considered as members of the undertaking.

VIII. Whilst the tunnel is being driven in his or their respective properties, the owners of mining fields which are crossed by the drainage tunnel can appoint a controller in their confidence, whose functions shall only extend to watching the work and giving notice to the mining agent or the judge, as the case may require, of any abuse he may observe.

IX. In those places of the drainage tunnels, which, through whatever reason do communicate with mine workings, bars shall be put up which impede roadway or passage, as soon as the communication is made.

X. Only by virtue of a unanimous understanding, expressed in a public document, between the parties interested in a general drainage tunnel in accordance with the foregoing clause III, can the tunnel be used for any other object but drainage. In this case, under penalty of nullity, all particulars regarding passage or transit, indicated in the foregoing clause IX, shall be stated in the contract.

XI. The mines newly opened in places where they may be benefited by general drainage tunnels already existing, will be subject to the provisions of clauses III, VII, VIII, IX and X.

XII. The legal right of way for ventilation consists in the obligation of every owner of mining fields to permit that owners of neighboring fields communicate with his underground workings, so that the communication may produce, as a necessary result, the ventilation which could not be obtained in other ways except at great expense.

XIII. Unless by special contract to the contrary, made into a public document by the owners of the properties giving and receiving the benefit, there shall always be placed a barred grating to impede transit or passage at the boundary line of the respective properties.

XIV. When a communication, different from the one described in clause XII, actually ventilates one or more workings, neither this service of producing ventilation shall give a right to the miner who made the communication, to exact indemnity from the owners of the other workings that have been ventilated, nor shall these on their side acquire a legal right of way which burdens the mining property which furnished the ventilation.

XV. If, while driving workings, opened for the purposes mentioned in clause XII, paying ore be found, the provisions suitable to the case of clause V, VI and VIII shall be observed.

XVI. Also the provisions of clause IV shall be observed as far as they suit the case.

XVII. All the expenses occasioned by the workings which may have to be made in order to obtain ventilation and those for keeping them in future in good condition shall be exclusively for account of the party who requested the establishment of the right of way of ventilation.

XVIII. For the establishment in future of a legal right of way to the benefit of one mining property, and to the burden of another, there shall be necessary: either the consent of the owner of the burdened property, stated in a public document, or in a declaration signed and ratified before the judicial authorities: or an administrative resolution agreed to by the interested parties, or a judicial decision.

XIX. The owner of mining fields, who wishes to acquire a legal right of way, which does not receive the consent of the party who considers himself burdened by the same, shall apply to the Department of Development which shall decide, within the space of time and with the formalities established by the Regulations, whatever it judges oportune, always hearing beforehand the dissenting party. In case either the latter or the petitioner do not agree to the administrative resolution, the right is reserved to them to apply to the respective local tribunals within the time specified by the Regulations. The decision shall be communicated by the tribunal which gives the same, to the Department of Development.

XX. In case the administrative decision be favorable to the petitioner and adverse to the opposing party, it can only be acted upon immediately by the petitioner giving bonds, satisfactory to the Department of Development, for the indemnification of any damages, in case the opposing party receive judgment in his favor in the courts.

XXI. The ruling of the three preceding clauses is applicable to all cases in which that which is ordered in the other clauses may give rise to judicial contests.

SECTION II.

ABOUT EXPLORATIONS, MINING FIELDS AND MINERAL CONCESSIONS.

Art. 13. Any inhabitant of the Republic can freely make, in government ground, exploration conducive to the discovery of mineral bodies, but if instead of borings excavations should be made, these shall not exceed ten meters in extent, neither in length nor in depth. No licence shall be necessary for this work, but previous notice shall be given to the respective authorities, according to the provisions of the regulations.

In ground of private property no mining explorations can be made without the permission of the owner or his representative. In case, however, that this permission can not be obtained it can be requested from the respective administrative authorities, who shall give the same in accordance with the provisions of the regulations, bonds being previously given by the explorer for the damage which may be caused, to the satisfaction of the authorities, after hearing the owner of the ground or his representative.

Inside of private buildings or their belongings, explorations can only be made with permission of the owner. No explorations shall be permitted inside the precincts of populated places, public works, public buildings or fortifications or in their neighborhood. The regulations shall fix in all these cases the minimum distance within which said works of investigation can be allowed.

During three month's time, which can not be prorogued, counted from the date of the notice of the permission or of the administrative resolution mentioned in this article, only the explorer shall have the right to receive mining fields.

Art. 14. The unit of concession, or the mining field (*pertenencia*) in future shall be a solid block of unlimited depth, defined above ground by that part of the surface which in horizontal projection gives a square with sides 100 metres long and bounded under ground by the four vertical planes corresponding to the same.

This unit of mining field (*pertenencia*) is indivisible in all contracts made about mining concessions or which affect the ownership.

Art. 15. Except as regards the final disposition of Article 13 of this law the concessions shall belong and shall always be given to the first applicant, and shall embrace in all cases in which there is sufficient free ground, the number of mining fields which the interested party may ask for, but he shall clearly specify, in accordance with the dispositions of the Regulations, the situation which the fields, (*pertenencias*) which form his grant, occupy.

In case there remain between the mining fields granted and others already existing, a space less than the unit of mining grants, this space shall also correspond and be given in property to the first petitioner.

SECTION III.

ABOUT THE MODE OF ACQUIRING MINING CONCESSIONS.

Art. 16. The Department of State and of the Expedition of Development shall name in the States, Territories and in the Federal District, special agents in its service, before whom the applications for mining concessions shall be presented. These agents are authorized to collect fees according to the tariff to be fixed by the Department mentioned.

Art. 17. The agents of the Department of Development shall receive the applications for mining concessions and shall note down immediately on the Register the day and hour of presentation. They shall thereupon proceed with the publication of the application and the measurement of the fields (*pertenencias*) by the expert, or the practical man, whom they shall appoint and in case there be no opposition, they shall send a copy of the proceedings and of the map to the Department of Development for the corresponding approbation and the extension of the titles.

The Regulations shall fix the time within which these acts have to take place, and shall detail the mode of procedure of the agents.

Art. 18. The approbation of the proceedings being obtained and the title to the property having been given in favor of the concessionaire the latter enters into possession of the mining fields without further formality.

Art. 19. The agents of the Department cannot suspend the proceedings for any reason whatever, unless there be opposition. When once the time is up which is fixed by the Regulations, they shall be obliged immediately to send the protocol of the proceedings, in whatever condition it may be, to the Department of Development, so that after examination it declare the tardy applicant rejected, should the fault be his, or hold the agent responsible, if through him the case has been delayed. The tardy applicant can not again petition for the same concession.

Art. 20. When opposition is made by the owner of the surface ground to the request for any mining concession or to the making of the respective measurements, and he claims that the ore deposit does not exist, then if there be found indication of a deposit on the surface, or any excavation or workings of exploration in the deposit itself, the Agent of the Department of Development shall reject the opposition. In case that no indications of any orebody exist on the surface of the ground and there be no excavations or workings on the same, then a proceeding analogous to Article 11 of this law shall be followed, the respective judge deciding whether or not the concession shall be granted. His decision can be appealed against in both cases. The decree shall be communicated to the Department of Development.

Art. 21. The agent of the Department of Development shall suspend proceedings in case there be opposition and shall send the protocol to the judge of 1st. Instance of the respective place for the legal decision of the corresponding judgment. The judicial authorities shall advise the Department of Development of their decision.

SECTION IV.

GENERAL DEPOSITIONS.

Art. 22. The working of mineral substances, whether they belong to those that are acquired through a concession according to this law, or to those that belong to the owner of the surface, shall be subject to all the dispositions which the provisions of this law may dictate in regard to police regulation and the security of the workings themselves, but if the owners conform to the Regulations, they will on the other hand have complete liberty of industrial action, to work in the way that suits them best, to hurry, delay, or suspend for more or less time their work, to employ the number of workmen they wish and wherever it suits them best, and finally to follow whatever system they prefer as regards workings, extraction, drainage or ventilation, as they consider most suitable to their own interests. The owners however remain responsible for the accidents which happen in the mines on account of their being worked badly and for damages occasioned to other properties by reason of not taking out water, or any other circumstance which may impair the interests of others.

Art. 23. When, in order to hurry the work in the mines of a locality, the necessity arises for making drainage tunnels, the execution of these workings shall be a matter of contract between the interested parties.

Art. 24. The partnerships or companies formed for working mines shall be governed by the disposition of the Commercial code, except as regards Associations which are not admissible in mining matters.

Art. 25. The contracts for furnishing money to the miner, known as "avio," shall in future have the character either of partnership, in which case the provision of the foregoing article shall be observed, or mortgage. The mortgage, in mining matters, can be freely given in

accordance with the Regulations of the Civil Code of the Federal District, but the indivisibleness of the mining field (*perencencias*), established in Article 14 of this law, shall be taken into account and the regulations of the Commercial Code as regards the Register shall be observed, and for this purpose a special book of mining operations shall be opened. The holder of the mortgage shall always have the right to pay the tax mentioned in Article 5 of this law and shall, through this payment acquire a right of preference over the owner of the mine in regard to his own mortgage.

Art. 26. The mortgage may be divided into mortgage bonds to name or to bearer, either in the titles which constitute the debt or by a later document. In every case it shall contain the dispositions organizing the social representation of the holders of the bonds. These dispositions, and also those relating to the amount of the debt, to the conditions of the same and to the guarantee, shall appear in print on each of the mortgage bonds.

The holders of the mortgage bonds can only take action against the debtor of the mortgaged property through their common representative, whose acts as regards their rights shall be obligatory on all the holders.

Art. 27. The trials by court in mining matters, shall take place and be decided in the Federal District and Territories and in each State before the judges and tribunals which there are competent according to the Regulations of the Commercial Code, and also shall be observed that which is prescribed in Chapter 9th., Title 1st., Book 4th., of said, Commercial Code, based on this, that the first expense of the administration indicated in the second clause of article 1,030 of the same Code, is the payment of the tax.

Art. 28. The new tax which shall be paid by all mining concessions, with the exception of those which are expressly exempted by contract shall be a Federal tax on the property and shall be established by the respective special law. As regards the other taxes on mining, the disposition of the law of June 6, 1887 shall be observed.

Art. 29. Default of payment of the property tax, levied in accordance with the regulations and procedure of the law which establishes the same, shall constitute, from the date this present law goes into force, the only reason for forfeiture of mining property, which in this case remains free of all burden and shall be conceded to the first applicant, in accordance with the provisions of this law and its regulations.

Art. 30. The industrial branch of mining shall belong to the Department of State and of the Expedition of Development, Colonization and Industry, which therefore can dictate, in accordance with the regulations of this law, all the measures it judges necessary for the promotion of the prosperity of the mining industry and which shall watch that the said law be enforced. It shall name the inspecting mining engineers it may think necessary, to visit the workings of mines or mineral substances, to study the same, to make investigations and to fulfill in general whatever commissions the Department may give them, in accordance with the details prescribed by the Regulations.

Art. 31. The Executive Government shall fix, according to the terms of article 21 of the Federal Constitution, the Government punishment which those incur who infringe the dispositions of the Regulations which it issues for the enactment of this law.

The official transgressions for which the agents of the Department of Development are responsible, shall be judged by the judges of the corresponding district according to the respective laws.

The ordinary transgressions committed in the mines remain subject to the corresponding territorial judges, this, however, shall not interfere with the governmental punishment, should the administrative Federal Authorities impose same.

Art. 32. The establishment and working of mills and all kinds of metallurgical works shall be guided by the regulations of the common law, and as regards taxes, by those of the law of June 1887.

Art. 33. There remain exempt from taxes that part of the tunnels situated outside of properties, when these are destined exclusively for the venting, draining and extracting of minerals that do not proceed from the said tunnels.

SECTION V.

TRANSITORY PROVISIONS.

Art. 1. The denouncements of mines or surplus ground (demacias,) which are in procedure when this law goes into force, shall be continued and substantiated and shall be decided according to the provisions of the same.

Art. 2. The surplus ground or open spaces existing between neighbouring mining properties and which have not been denounced when this law takes effect shall correspond and shall be given to the first party who applies for the same.

Art. 3. The contracts for the exploration and working of mining zones made with the Department of State and Expedition of Development, Colonization and Industry, which are in force when this law takes effect and in virtue of which the concessionaires are complying with the respective stipulation, shall remain in force for the whole time of their duration, if the concessionaires so desire. The concessionaire can, however, within a year's time counted from the date this law goes into force, chose the provisions of the new law, and as soon as he makes declaration to this effect before the Department he shall be relieved by the same from the obligations which said contracts imposed on him and shall receive again the corresponding deposit. Remaining subject to this law and its regulations only, he shall acquire and conserve perpetually his mining concessions as long as payment is made of the federal property tax.

Art. 4. Existing mining properties which are being worked or are held by special permit (amparo) when this law goes into force, notwithstanding that they are not in accordance with the same, shall remain in subsistence and the mines shall retain their fields with whatever measures they may have, though these be different from those now established.

As regards the tax, however, the unit mentioned in Article 16 of this law shall serve as a basis.

The owners, however, can ask for a rectification of the concession and for a new property title.

Art. 5. The contracts for furnishing money to the miner ("avío") and all those relating to mining business, which are in existence when this law takes effect, shall be governed by their respective stipulations, and as regards points which may have been omitted by the mining law which was in force at the time these contracts were made; but it shall be indispensable to the validity of the future operations which have their origin in these contracts, that these be registered according to the dispositions of Articles 24 and 25 of this law, within a year's time counted from the date it takes effect.

Therefore, whenever a mining business is transferred, under whatever pretext to a third owner, the latter shall be responsible for the obligations resulting from said contracts, supposing that any question in court should arise from the same.

Art. 6. The work which is being done in the mining field (perencia) of another owner in accordance with the law still in force, cannot be prosecuted after the date on which the present law takes effect, unless it have the consent of the owner of this field.

FINAL PROVISION.

Only Article. This law will go into force in the whole Republic on July 1st 1892: and from that date the mining code of Nov. 22 1884 and the circular orders and provisions relating to the same shall be abolished.

Art. 10 of the law of June 6 of 1887 shall also be abolished from the date of the promulgation of this law.—*Alfredo Chavero*, President of the House of Representatives.—*V. de Castañeda y Nájera* President of the Senate.—*José M. Gamboa*, Secretary of the House of Representatives. *Mariano Bárcena*, Secretary of the Senate.

“Therefore, I order that the same be printed, published, circulated, and given full compliance.

“Given in the palace of the Executive Government of the Union, in Mexico, on the 4th day of June 1892.—*Porfirio Díaz*.—To citizen *Manuel Fernández Leal*, Secretary of State, and Expedition of Development, Colonization and Industry.”

And I communicate the same to you for your knowledge and subsequent results.

Liberty and Constitution. Mexico, June 4th, 1892.

Manuel Fernández Leal.

To

MINING REGULATIONS.

Department of Development, Colonization and Industry, of the Mexican Republic.—Section 3rd.

The President of the Republic has been pleased to address me the following decree:

“*PORFIRIO DIAZ, Constitutional President of the United States of Mexico, to the inhabitants thereof, be it known:*

That by virtue of the constitutional faculty vested in the Executive, and in conformity with article 1st, of the law of June 4th of the present year, I have seen fit to decree the following:

REGULATIONS

FOR

ADMINISTRATIVE PROCEEDINGS REGARDING MINING.

CHAPTER I.

OF AGENTS.

Art. 1. The special agents, dependent on the Department of Public Works, and appointed by said Department, wherever judged necessary according to Article 16th of the Law, for any Mining District, shall receive and transmit all petitions for mining concessions and extensions presented to them and shall exercise all the other functions marked out by the law and its regulations.

In the event of any doubt on the proper application of the law, the Agents shall consult the Department of Public Works.

Art. 2. At the time of making the appointment the jurisdiction of each Agent shall be clearly defined, and the same, as well as any ulterior amendment thereof, published in the *Diario Oficial*, the Government official organ.

Art. 3. The following requirements must be complied with in order to fill the position of Agent of the Department, viz: The applicant must be a Mexican citizen in the possession of his legal rights, and he must fill no other Government position in the State, Territory or Federal District.

Art. 4. With each Agent appointed at the Several Mining Districts, a number of substitutes shall be designated in proportion to the magnitude of business developed in that District.

These substitutes must possess the same qualifications as the Agents themselves, and will represent the latter during any temporary or permanent absence, as well as all occasions where legal impediment may occur, the substitute being previously called upon by the respective Agents.

Art. 5. Legal impediments in the way of Agents shall be considered all such as for the magistrates are set forth in sections I to IX and XII of Article 1,132 of the Commercial Code.

Art. 6. In case of death or serious illness preventing the Agent from notifying his substitute, the latter shall enter into the former's functions without loss of time, giving the Department due notice thereof through the mail, or by telegraph where such exist.

Art. 7. The Mining Agents shall give the public due notice as to their place of business, and hours devoted thereto which business shall not be interrupted except on Sundays and National holidays.

Art. 8. The Agents shall receive no other fees for their services than those set forth by the respective tariff, and in any case not specified therein they shall consult with the Department as to the amount to be charged.

Art. 9. During the first ten days of each month the Agent must forward to the Department of Public works a detailed Report of all petitions for Mining Concessions, presented to him during the previous month.

CHAPTER II.

OF EXPLORATIONS.

Art. 10. Each and every inhabitant of the Republic shall have the right to carry on mineral explorations on any section of National lands, due notice thereof being given the Agent at the respective Zone, as prescribed by law. The notification must be tendered in duplicate, specifying therein the limits of the Zone to be explored.

The Agent shall return the exploring party a copy of said notification, specifying thereon the date and hour it was presented and warning the same that in the event of any digging effected, this should be done strictly in conformity with article 13 of the Law, and 14 of these Regulations.

Art. 11. If the explorations are to be made on private property the exploring party should first obtain due permission from the owner of the property, or his attorney, who if authorizing it, will give the explorer a written statement specifying thereon the limits of the ground to be explored. This statement must be presented to the respective Agent, who, after making the proper entry in the Record, shall return it to the exploring party, expressing the date and hour when presented.

Art. 12. If the owner of the property or his representative should fail to grant the permission called for, the exploring party should apply to the Agent for same, stating at the same time his security therefor. This petition shall be presented by the Agent to the owner of the property, who failing to protest within a fortnight, shall be understood to grant his consent. At the expiration of the aforesaid fifteen days, the Agent shall adopt the proper proceedings, fixing at the same time the amount of security which must be produced by the exploring party and a term of 30 days for presenting the same. The security once produced the Agent shall give the explorer a written acknowledgment, expressing thereon the limits of the section to be explored.

Art. 13. During a term of three months, not to be prorogued, from the date of the notification, permission or Administrative proceedings referred to in Articles 10, 11 and 12 of these Regulations, the

Agent shall admit of no other petition for the site of explorations or the limits thereof, than those proceeding from the exploring party.

Art. 14. The exploring party or parties shall not carry on the work of exploration at any distance from towns or inhabited places, nearer than fifty meters from the exterior boundaries of public and private buildings and outhouses belonging thereto. The same distance shall be observed with regard to any public edifice or construction of any kind, but this shall be reduced to 30 meters from the lines bordering highways, Railroads and Canals. With regard to fortified places, no work of exploration shall be carried on within one kilometer reckoned from the outer lines of same.

CHAPTER III

ON CONCESSIONS.

Art. 15. The petitions for concession of claims or extensions must be presented in duplicate to the respective Agent. These petitions shall clearly express the number of claims wanted, their situation on the ground and the relative position of said ground with regard to the corresponding Municipality, fixing the most notable points of the locality for identification, and specifying at the same time the mineral substance to be developed. Should the Agent judge the petition as lacking clearness and accuracy on any point, he shall have the right to question the petitioner in order to obtain the same. All such information being affixed to the duplicate petition and Record of the Agency, in the presence of said petitioner. Ignorance or inability on the part of the petitioner to afford the desired information shall be no obstacle in the way of registering the petition, or sufficient cause for suspending the proceeding.

Art. 16. The Agent shall admit no other petition for the same site until the Department of public Works has given its final decision on the provision for each petition.

Art. 17. On presentation of a petition to the Agent, this functionary shall proceed to register the same in the presence of the petitioner stating on the margin of both petition and duplicate thereof, as well as in the official Register duly authorized by the Department, the date, hour and numerical order of presentation. The petitions must be registered strictly in the order of dates and hour of day presented, leaving no space in blank between the inscriptions.

Art. 18. In the event of two or more petitions for claims or extensions on the same site being presented at the same time the decision shall be cast by lots.

Art. 19. Within three days following the presentation of a petition for concession of mining claims, the Agent shall appoint a titled expert, or, if such is not to be found, a practical surveyor to take the measurements and draw the plans of the claims and extensions solicited, expressing clearly thereon the monuments marking said claims as well as those of all other claims within an area of 100 meters all around. The Agent may appoint the surveyor suggested by the petitioner provided said surveyor meet all the requirements prescribed by law.

Art. 20. Within the next eight days following the appointment referred to in the foregoing article, the surveyor must communicate with the respective agent stating whether he accepts the appointment or otherwise. If in the first case, he should also state that arrangements had been concluded between himself and the petitioner, as to the amount of fees to be collected. The Agent shall thereupon make the proper entry in the respective provision.

At the request of the petitioner the Agent may extend, on one single occasion the aforesaid period of eight days, to another eight.

Art. 21. On making the entry referred to in the foregoing article, the Agent shall fix a period not exceeding sixty days for the presentation

of drawings referred to in Article 19 accompanied by an explanatory report, by the surveyor; the Agent shall then proceed to draw up an extract in duplicate containing the following data:

I. The petition, specifying in a clear and precise manner the name and residence of the petitioner, and the numerical order of the corresponding title.

II. The name, residence and acceptance of the surveyor appointed.

III. Due notice that within a period not to exceed four months from the date of said extract, the corresponding title shall be finally substantiated at the respective agency.

A copy of the Note shall be published in the bulletins fixed on the exterior of each agency, the petitioner furnishing the revenue stamps necessary for said publication. The notice shall remain on the bulletin boards for a period of one month, the entry thereof being made in the corresponding title.

Another copy of the notice shall be handed the petitioner, who, at his own expense and risk, and within forty days after the date of said notice, shall have the same published three consecutive days in the official paper of the respective State, Territory or Federal District, copies of which issues must be delivered at the agency by the petitioner, in order to have the same attached to the corresponding title.

Art. 22. The publication of the notice, as stated in the previous article, shall serve as summons to all such as may deem themselves justified in protesting against the concession of the petition in question.

Art. 23. On making the entry referred to in Article 20, the Agent shall hand the expert a certified copy of his appointment; which must close with warning that whosoever may resist or oppose the execution of any work undertaken by the Expert, shall make himself liable to the penalties established in Article 904 of the Penal Code of the Federal District, or the law of the respective State.

Art. 24. Should the experts meet any opposition or positive resistance in the execution of the previous article, they may call the local authorities to their assistance.

Art. 25. The Expert shall pay due attention to all remarks offered by the petitioner as well as by those who have opposed or may oppose the petition; but they shall reserve their views on the subject for the written report referred to in Article 21, the presentation of which, within the period therein stipulated, shall be for the sole account and responsibility of said Surveyor, as well as all damages that may spring from the non-delivery of said Reports and Maps.

Art. 26. Opposition to the concession of a petition for any of the following reasons, shall only be admitted during the four months stipulated in clause III of Article 21 viz:

I. By the dissent of the property owner.

II. By the invasion or trespass on adjacent claims or extensions.

III. By prior rights or petition of the claims or extension solicited.

Art. 27. On receipt of a protest to any petition, the Agent shall notify the petitioner by means of a written notice placed on the bulletin boards during three consecutive days, expressing thereon the names of the claimant and opponent respectively, as well as the numerical order of the corresponding title wherein due entry shall be made of said publication.

Art. 28. Save in the event of the petitioner notifying the Agent that he desists from his claim, the latter shall have the opponent's protest preserved on file until the Surveyor's Report and plans are presented.

Art. 29. On presentation of these documents the Agent shall proceed to call a meeting of the parties, to take place within the next fifteen days, publishing said summons on the Agency bulletins during three consecutive days, and expressing the number of the provision, names of the parties, and date and time of day appointed for the meeting. At this meeting it shall be the Agent's mission to bring about a compromise between the dissenting parties, in order to avoid legal complications. Of all the particulars due entry shall be made in the respective provision.

Art. 30 If the opposition should spring from the land owner, and the Expert's Report should point to indications of mineral deposits on the surface, or any explorations in said deposits, the Agent shall carry the Administrative proceedings on the provision to a conclusion, so that the Department may issue the proper title in favor of the petitioner, since this, according to Arts. 7 and 11 of the Law is either simply accountable for the underground operated upon, or otherwise leaves to the jurisdiction of the courts the extension and appraisements of the surface occupied by the miner. At the conclusion of these proceedings, which shall be duly placed on record, the Agent shall notify the parties that they are at liberty to have recourse to the usual tribunals, according to Article 20 of the Law.

Art. 31. In any other of the opposition cases enumerated in Article 26, should the Agent be unsuccessful in bringing the parties to a compromise, he shall at once suspend all further proceedings and deliver the respective provision to the petitioner, who, on his own responsibility and within a reasonable term appointed by the Agency, must present it before the corresponding local Judge of First Instance.

Art. 32. If any reasonable opposition, based on causes not provided for in Article 26 should be produced, the Agent shall simply affix the same to the corresponding provision, without suspending the proceedings on this account.

Art. 33. In the event of any opposition being made after delivery of the Surveyor's maps and Report, but before the expiration of the four months stipulated in clause III of Article 21, the proceedings referred to in articles 20 to 32 shall be continued without interruption. This being the only instance, (aside from the remission to the Tribunals) where the agent may delay the substantiation of the provisions for 35 days after the said four months, provided the opposition be made within 20 days of the expiration of the above mentioned four months.

Art. 34. If the four months referred to in Article 26 should have transpired without any opposition being made, or in the event referred to in Arts. 30 and 32; or should the provision be returned by the Tribunals with a judgement in favor of the petitioner, the Agent is strictly enjoined to forward to the Department of Public Works, within the next fifteen days following, and under registered cover, copies of the provision and maps, unless the petitioner should undertake to be the bearer of those documents, in which case the Agency shall give due notice thereof to the Department.

Art. 35. The petitioner shall furnish the Agency with the amount of Revenue stamps required for issuing the title. These stamps shall accompany the copies of provision and maps forwarded to the Department under registered cover, and will be returned, through the Agent, to the petitioner, if the Department should disapprove the provision and consequently refuse the title. If the petitioner should so desire he may appoint the party who must deliver the stamps at the Department.

Art. 36. Any omission or neglect in presenting the petitions, furnishing the stamps, or printed notices, payment of fees or non appearance at the meetings, and in general, of any requirement mentioned in this chapter, imputable to the claimant or the opponent respectively, shall imply, on the part of the former, the relinquishing of all claims and his petition, and on the latter that he desists from his opposition, and consequently acknowledges the legality of petitioners claims.

Art. 37. After due consideration and approval of the provision by the Department, the proper title shall be issued and forwarded to the Agent, who must deliver the same to the petitioner with a copy of the maps duly stamped by the Department of Public Works: this Department furnishing that of Finance with a detailed report on the concessions granted.

Should the provision meet the disapproval of the Department, the Agent shall be notified thereof in order that any errors or deficiencies may be rectified, within the term appointed by the Department, provided

said errors or deficiencies are not chargeable to the petitioner or the Agent himself, in which case a different course shall be adopted, in accordance with Art. 19 of the Law.

CHAPTER IV.

GENERAL LAWS.

Art. 38. The work to be performed on the ground by the expert, according to Art. 19, must conform with the scientific proceedings, in order to obtain the horizontal longitudes on the sides of the claims and the angles made by same with the true meridian. To this end the expert must determine the magnetic deviation of the compass, if this instrument is used to measure the direction of sides. The expert shall mark some of the vortices in the perimeter by means of permanent monuments on the ground, gathering all the necessary information besides, in order to verify said measurements when desired.

The expert shall designate upon the ground the spots where the monuments ought to be constructed, as set forth in Article 41.

Art. 39. The maps of the respective claims must be neatly and accurately drawn on strong paper for the better preservation of said documents. The copies thereof may be produced on tracing cloth. The maps must be made in proportion to the object and in decimals, also the length of the sides in meters, the direction of same with regard to the true meridian, and the deviation of the compass at the time of taking the observations and lastly the area of the surface in hectares.

Art. 40. The selection and survey of the claims upon the ground confers no rights to the occupation of same but shall serve simply to show the limits embraced in the mining concession thus obtained. For the final acquisition of the surface required by the petitioner for the development of his mining concession, or that covering the total area of his claims, he must either arrange with the owner of the property by means of purchase or otherwise present an action before the corresponding Tribunal for the expropriation of said ground, as prescribed by Article II of the Law.

Art. 41. The monuments to be fixed on the ground must meet the following requirements:

I. Their position must be permanent as they are intended to mark spots not to be changed as long as the concession for the claims undergo no modification. Their construction must be solid and they shall be kept in good repair.

II. A sufficient number of them shall be erected in the most convenient places so that from any one monument, the preceding as well as the following one may easily be seen. Care should be taken to distinguish the same in shape, color, or any other characteristic mark from those of adjacent claims.

Art. 42. The concessionaires of mining claims shall not overstep the limits marked in their respective concessions, (as prescribed by Article 8 of the Law) except in the event of waste lands existing near their property, due petition for the extension thereof being previously presented to the respective Agent, who shall proceed in this case exactly in the same manner as prescribed in these Regulations for the concession of mining claims. The like process shall be adopted in the substantiation of petitions for the ratification of claims.

Art. 43. The possession of a legal concession is indispensable for the operation of development of all mineral substances enumerated in Article 3 of the Law. Therefore no manner of work tending to the development of mines or deposits of said substances, whether on the surface or under ground, shall be allowed without the same being protected by means of a legal title thereto, duly registered.

Art. 44. All petitions of concession for the development of any substance not enumerated in Article 3 of this Law, shall be rejected, the development of said substance according to Article 4 of the same Law being the exclusive right of the land holder.

Art. 45. In compliance with clause IV of Article 12 of the Law, a petition for the corresponding licence accompanied by a horizontal projection and profile of the Adit, reduced to a proportional decimal scale, and all other particulars that may be deemed pertinent thereto, shall be presented to the respective Agent. Said Agent shall forward to the Department the corresponding petition and maps, together with his report on the subject.

The Department, on receipt of these documents and all further information that may be deemed necessary, shall proceed to render its decision.

Art. 46. The owner of mining claims who should be refused the consent of the party that ought to render the legal service, shall present to the department (in compliance with clause XIX of Article 12 of the law) the corresponding protest in the form of a petition embracing all the necessary information on the subject.

The Department, in conformity with the Agent's reports thereon, and previous hearing granted the dissenting party, or his attorney, shall render its decision within the period previously established for that purpose.

Art. 47. If the petitioner or the party who ought to render the service referred to in clause XIX of Art. 12 of the Law, should deem the Department's judgment unfavorable to his legal rights and interests, he shall be at liberty to appeal from this decision to that of the respective Judge, provided said appeal be made within two months from the date of the Administrative decision.

Art. 48. In places within the Republic, not embraced in the jurisdiction of a mining Agent, the petition for concessions, as well as the notices and concessions themselves shall be presented to the Postmaster of the locality, who shall file said documents, expressing thereon the date and time of day presented, and shall notify the Department of Public Works through the mail, and by wire where such means are obtainable.

Art. 49. The Postmaster shall receive and file the petitions for concessions or the concessions themselves only in such cases where his residence lies beyond the jurisdiction of any mining Agent.

Art. 50. The Department of Public Works shall publish in the *Diario Oficial*, the Federal Official paper, every six months, the number of titles issued during that period.

Art. 51. The special book referred to in Article 37 of the Law, shall be kept by such parties as are designated in article 18 of the Commercial Code, in the manner prescribed for in said Code, chapter I, title II, Book I.

Art. 52. It is the right of every individual to inscribe his titles for future concessions or actual property in the Commercial Registers, as sanctioned by Art. 36 of the Commercial Code, in such cases where the proper Register is not kept.

Art. 53. It is compulsory for all mining corporations, as well as for the creditors thereof, to register all their transactions, as stipulated in Articles 25 of the Law and 5 of the Regulations.

Art. 54. All mining corporations are obliged to register the location of their mining claims as well as the residence, or residences of the Company, at the department or Federal District.

Art. 55. If, through any extension or alteration of any cases any doubts should arise as to the effect of the laws and decrees governing, should be effected, in accordance with the provisions of Article 10, the Department of Public Works shall refer such cases to the Department of Finance, the same to that of Finance.

CHAPTER V.

BY-LAWS.

Art. 1. The agents shall receive in the strictest numerical order, as per inventory thereof, all the provisions found in the present Mining Deputations or offices in place of same, on taking possession of them and all provisions pending resolution shall be given due course, as prescribed in Art. 1, title V. of the Law.

Art. 2. All claims in the course of publication shall be placed on the bulletin boards after the Agent has duly complied with the prescription expressed in Article 21: said notice being again published in the official paper referred to in the last mentioned Article.

Art. 3. When the provisions of denouncement have been duly advertised, though the appointment of the expert should be still pending, the Agent shall proceed exactly as in the case of a new petition for concession, without making a new entry in the Register.

Art. 4. With regard to provisions where the surveyor has been appointed but has not, as yet, presented the maps and Report the Agent shall proceed in like manner as in the case of new petitions without making a new entry in the Register.

Art. 5. With regard to provisions where the maps and Report have been dully presented, the Agent shall proceed to draw a note in duplicate containing the following:

I. Copy of the petition, clearly expressing thereon the name and residence of the petitioner and numerical order of the corresponding document.

II. The Expert's Report.

III. Notice that a term not to exceed two months from the date of said note, will be allowed for the substantiation of the corresponding provision of the Agency.

Art. 6. In the event of provisions on denouncement where any opposition should have occurred before delivery of the maps and Report, the Agent shall proceed in accordance with Article 27 and, if required, as prescribed in Articles 28 to 32.

Art. 7. With regard to provisions where any oppositions may have been produced, the expert's maps and Report being delivered, or where the opposition takes place within the two months stipulated in article 5 of these By-laws, the proceedings shall be analogous to those in articles 28 to 42, the agencies having the right to the 45 days extension granted in Article 33.

Art. 8. The same proceedings (as in Article 27 to 32) shall be adopted with regard to provisions undergoing the 20 days probation, expressed in article 78 the Mining Code, Nov. 22d. 1884. The agents in their administrative capacity cannot render their decision in the same manner and spirit as the corresponding Tribunal.

Art. 9. At the expiration of the two months referred in Art. 5 of these By-laws, or in any event provided for in Art. 34, the Agents shall proceed in accordance with the prescriptions of said Article.

Art. 10. In all cases, previous to the three days stipulated in Art. 19 shall begin the sale of provisions that the Agent shall announce that the order of business pertaining thereto are open to the public.

Therefore let this be signed, published and circulated for the fulfillment thereof.

Given in the Place of the Executive Power of the Union, Mexico, June 25th, 1892. *Ensign's Draft.* To Mr. Manuel Fernández Leal, Secretary of State and of the Department of Public Works, Colonization and Mines, &c.

And for communication the same to you for your knowledge and subscription, &c.

Ensign, and his assistant, Mexico, June 26th, 1892. *M. Fernádez Leal.*

TARIFF

For the payment of fees to the Mining Agents.

I. For the inscription in the notice, or in the concessions of explorations referred to in Art. 10 and 11 of the "Regulations or Legal Proceedings regarding Mines" and the corresponding entry in the Records, one dollar.

II. For the proceeding on each concession of exploration referred to in Art. 12 of said Regulations, and entry thereof two dollars.

III. For registering each petition of mining concession, or extension thereof, or rectification of same and entry in the Records, one dollar.

IV. For the publication, memorials and notes on provisions, at the rate of twenty cent for each ten lines or fraction thereof, besides ten cents for the title page covering the documents to be paged.

V. For the transcription, checking and legalization of testimonies, certificates and other copies, at the rate of one dollar for each 100 lines or fraction thereof. For the search of a provision or any other document from the Archives, one dollar. When the solicitor cannot furnish sufficient data on the subject and documents of over a year's date must be searched, one dollar for every year thus revised.

VI. For the searching of files or any other kind of document from the archives, one dollar.

VII. For every kilometer traversed in any direction, for the prosecution of any transaction in connection with his office; twenty five cents.

VIII. For examination of any kind, whether on the interior or exterior, five dollars.

IX. For inspections visits or examinations of underground works, five dollars for every 100 meters in dept, or fraction thereof, and five dollars for the corresponding report.

X. For his appearance at meeting not exceeding an hour in duration, three dollars, and one dollar more for every hour extra, or fraction thereof.

Liberty and Constitution. Mexico June 25th, 1892.—*Fernandez Leal.*

Department of State and of the Treasury and Public Credit.—Mexico.—Section 8.—Circular No. 19.

With the object of avoiding any difficulties that might arise in different localities of the National Territory in complying with the provisions of Articles 3 and 5 of the Regulations of June 30th. last of the Mining Tax Law (Ley de Impuesto a la Minería.) owing to the distance at which mining properties may be situated from their respective Federal Tax Offices (Jefaturas de Hacienda) and to the difficult means of communication, the President of the United Mexican States has seen fit to determine that in such instances the nearest Fomento Agent,—subject to the fees which for the performance of this duty will be designated by the proper Department and which will be payable by the parties interested,—is authorized to receive the manifestations prescribed for in the above referred to Article 3, and copy of the original and last transfer title papers, which he will duly compare and legalize, the latter together with the Manifestation, constituting the Proceedings in the matter, which shall be forwarded, accompanied by the Report which he must render, bearing on the accuracy and limits of the dependencies to the proper Jefe de Hacienda. In order that the latter, after making the necessary entries, may, without further procedure, carry out the provisions of Article 4 of the Regulations. The "Fomen-

to" agents will be careful to affix and cancel this stamps, which the Law prescribes, on the original titles, retaining the later in their possession until final determination is had, when they shall be returned to their owners with the respective number and date of entry in the register of Federal Mining Taxes (Registro de Impuesto Federal á la Minería) noted thereon, and which will be duly transmitted by the proper Jefe de Hacienda.

I communicate the same to you for its effects.

Mexico, August 15th, 1892.

Romero.

To.....



DEPARTMENT OF STATE
AND OF
THE TREASURY AND PUBLIC CREDIT
MEXICO.

SECTION No. 8.

The President of the Republic has seen fit to approve the following

REGULATIONS
OF THE
MINING TAX LAW
OF JUNE 6th, 1892.

TAX UPON MINING PROPERTIES.

Art. 1. The tax established by this law is applicable to the mining properties now existing or which may hereafter be authorized by the Department of Public Works (Secretaría de Fomento) in conformity with Article 3 of the law of the 4th of the current month. The mining properties defined in Sections III and IV of Article 1 of the Mining Code of November 22, 1884 are, in so far as refers to taxes, not subject to the present law, being liable only to that dated June 6, 1885, and such others as may be now in force.

Art. 2. The tax upon Titles I and II all be paid by affixing to the last Deed of Transfer (Translativo) that may be presented by the interested party, the corresponding amount of cement and book stamps (documentos y libros) in conformity with Article 3 of the law, the same to be canceled as therein prescribed.

Art. 3. All owners and lessee holders of mines comprised in those referred to in Article 1 are obliged to present to the proper "Jefatura de Hacienda" in the States or to the "Caudal's, raciones de Rentas" in the Territories, within a term which shall not be extended, expiring on October 31 of the present year, and continuing only of the mines which may be applicable:

1. The original Titles or notes of Survey as per Articles 4, Section 6 of the Ordinances of May 12, 1853 and 4 of the Mining Code of November 22, 1884.

II. The last Deed transferring ownership, in the event of the present owner or possessor being the assignee of the original denouncer,

III. A declaration in duplicate, under protest of alleging the truth, which shall express in detail the name and place of residence of the owner or holder, and in such cases, that of Company and its Manager or Representative; the location and extension of the dependencies, and surplus grants in conformity with the latest measurements, expressing whether these are contiguous or interrupted; the amount of all dependencies and surplus grants taken possession of; the conversion of this amount into Hectares, according to the terms of article 14 and Transitory Article 4 of the law of June 4th, of the current year, and the reduction the petitioner may desire, if any, in conformity with Article 4, Transitory, of the Law cited, and 8 of that of June 6th, 1892.

Art. 4. The presentation of the Titles referred to in foregoing Article has for its sole object the identification of the mine and the justification of the exactness of the conversion of the dependencies into hectares.

Art. 5. The offices mentioned in Article 3 will return immediately to the interested party the duplicate of the declaration, after having noted thereon the date and hour at which the same was presented, affixing to the last Title the proper stamps.

Art. 6. Within three days subsequent to that on which the "Jefatura de Hacienda" or "Administración de Rentas" may have affixed the stamps, the Documents or Proceedings (Expediente) shall be forwarded to the Treasury Department (Secretaría de Hacienda) together with a Report which such office shall present and substantiate its opinion as regards the exactness of the declaration made by the person interested.

Art. 7. Upon the receipt of the Documents or Proceedings (Expediente) by the Treasury Department (Secretaría de Hacienda) in the manner cited in the last preceding Article, the latter will determine, after having procured such information thereon as it may deem essential, whether the declaration shall be accepted or rejected.

Art. 8. As provided for in Article 6, should the Department find the Declaration to be exact, it will return the Titles to the proper "Jefatura de Hacienda" or "Administración de Rentas," in order that either of the latter, as the case may be, may deliver the same to the interest person and certify upon the Duplicate referred to in Article 5 the fact that the tax has been paid.

Art. 9. Should the Department of Treasury not consider true the manifestation of the interested party, it will fix the number of pertenencias for which the respective stamps must be paid for.

Art. 10. Within three days subsequent to the modification to the interested party, in the event provided in the foregoing Article, the latter shall manifest whether or no he conforms to the number of dependencies determined by the Treasury Department, it being understood that his acceptance thereof will be taken for granted, should notice to the contrary not be received within the term indicated.

Art. 11. Should the party in interest not be satisfied with the number of dependencies or pertenencias determined by the Treasury Department (Secretaría de Hacienda), the latter shall designate an Expert, who, with the documentary proceedings (expediente) in his possession, will make an examination of the property and mineral possession, presenting within the term of forty days a report thereon which shall be employed by the said Department as a basis upon which to render a definite determination in the matter.

Art. 12. Basing the same upon the report made by the Expert appointed, the Treasury Department (Secretaría de Hacienda) will render a definite decision in the present matter, and the Proceedings to the proper "Jefatura de Hacienda" or "Administración de Rentas," where the stamps corresponding to the number of dependencies shall be affixed and a memorandum made of the steps and characters of the event of cause existing therefor, the petitioner shall be bound to pay over to the proper Ju-

dicial authorities, in conformity with paragraph II, Article 6 of the law of June 6th, 1892.

Art. 13. In any concession which may be hereafter authorized by the Department of Public Works (Secretaría de Fomento), after having duly affixed to the titles the proper stamps, it will render to the Treasury Department (Secretaría de Hacienda) the information prescribed in Article 37 of the Regulations of June 25, 1892.

Art. 14. The concessionaires of Mineral Zones not desiring to avail themselves of the privileges conceded to them by the second part of transitory Article 3 of the law of the 4th of the current month, are required to appear before the treasury Department [Secretaría de Hacienda] with a declaration, in duplicate conforming to the requirements of Article 3 of the present regulations, and in which they will also state the date of their respective concessions and whether or not they have incorporated within the limits of such Zones mineral dependencies distinct from those conceded by their contracts.

Art. 15. The Treasury Department (Secretaría de Hacienda), in view of the declaration filed with it in conformity with the prescriptions of the preceding Article, will request a report thereon from the Department of Public Works (Secretaría de Fomento), rendering its decision in accordance with the information communicated by the latter Department, and issuing to the party in interest a certificate covering the effects operating in pursuance to the provisions of the final paragraph of Article 4 of the law dated the 6th instant.

Art. 16. For the same purpose, the Concessionaires of Zones who may hereafter incorporate within the limits of such Zones, claims (pertenencias) foreign to those conceded by their contract, are required to present, within eight days subsequent to that on which they receive notice from the Department of Public Works (Secretaría de Fomento, that such incorporation has been accepted, a declaration in duplicate to the Treasury Department (Secretaría de Hacienda), which latter Department will issue the certificate provided for in the foregoing Article.

ANNUAL TAX.

Art. 17. The annual Tax referred to in Article 4 of the law will be collected by the Stamp Office (Renta del Timbre) in accordance with the Laws of March 31, 1887 and December 9, 1891, and such others bearing thereon, now in force, and is payable in Interior Rent Stamps (Estampillas de la Renta interior), the face thereof to bear a stamp, diagonally placed thereon, reading: "MINING TAX" (Impuesto Minero).

Art. 18. The Stamp Officers (Administradores Principales de la Renta del Timbre) will receive, as sole fee, two per cent. of the gross amount realized from the sale of stamps for the payment of the annual Mining Tax.

Art. 19. The Stamp Offices (Administradores Principales de la Renta del Timbre) will keep a Register of the Mines situated in their respective Districts, by aid of the data which the Treasury Department (Secretaría de Hacienda) will furnish for that purpose.

Art. 20. The owners or holders of mines will make their payments in the Principal or District Sub-Tax Office (Administración Principal ó Subalterna del Timbre) corresponding to that in which such mines may be located: the Treasury Department (Secretaría de Hacienda), however, may modify this rule in instances where it may be deemed equitable and convenient to do so, in such case advising the General Office (Administración General) that the latter may transmit information thereof to the proper District Branch of the Principal Tax Office.

Art. 21. The Principal Stamp Offices (Administradores Principales de la Renta del Timbre) will require the Sub-Office or Agencies to forward them opportunely the stub of the Stamp sold for each mine, affixed to pages on which they will state for which mines respectively

the stamps have been sold, and whether the sale corresponds to the extension of the property detailed on the Titles and indicated on the duplicate thereof return in accordance with Article 8 and 12.

On the receipt of these pages or sheets by the Principal Stamps Offices (Administradores Principales) they will advise the fact to the Treasury Department (Secretaría de Hacienda), to which they will also forward at the end of each Fiscal year, all such stamped pages or sheets received, corresponding to each Mining Negotiation.

Art. 22. Each one of the quarterly payments referred to in Article 5 of the Law must be made previous to July 31st., November 30th. and March 31st. of each year. For this purpose, the respective Principal or Sub-Stamps Office (Administración Principal ó Subalterna del Timbre) will deliver to interested parties a printed ticket or placard containing:

I. The Title or Heading: "Mining Tax" (Impuesto Minero).

II. The name of the State and Municipality to which the office issuing the ticket or placard may correspond.

III. The name of the mine,—number of claims (pertenencias) for which the tax is paid;—municipality in which the same is located;—name of owner or company which may be in possession thereof and the Registry number of the Titles.

IV. The quarterly amount payable.

V. Three blank columns destined to receive the stamps corresponding to each quarter, which stamps are to be duly cancelled.

The interested parties are required to place the ticket or placard referred to in this Article in a visible part of the office of the negotiation or owner of the mining properties, with the stamps accrediting the payment affixed thereto.

Art. 23. Upon any quarterly payment becoming due, as provided for in the foregoing Article, and upon the Stamp Office (Administración Principal de la Renta del Timbre) being advised that such payment has not been satisfied, it will communicate the fact to the Fomento Agent, in order that the latter may, during one month, fix a notice thereof on the Bulletin Board (Tabla de Avisos) mentioned in Article 21 of the Regulations of June 25, 1892, which, notice as regards the creditors of the mines, will operate as a citation to avail themselves of the privileges indicated in Article 25 of the Law of the 4th instant.

The payment of the Tax by these creditors can not be effected until the notice referred to has been placed upon the Bulletin Board [Tabla de Avisos] of the Fomento Agency.

Art. 24. If within the district of any Principal Stamp Office (Administración Principal del Timbre) there should happen to be no Fomento Agency to which notice mentioned in the preceding article can be given, the said Administración Principal will notify the creditors of the mines through the respective District Court [Juzgado del Distrito] ascertaining previously in the proper commercial Registry Office (Registro del Comercio) the names of such creditors.

Art. 25. Upon the expiration of the terms referred to in the final part of Article 6 of the law, and the tax still remaining unpaid the Principal Stamp Offices (Administración Principal de la Renta del Timbre) will immediately advise the Treasury Department (Secretaría de Hacienda), in order that the latter may at once declare the loss of the property, and the Department of public Works (Secretaría de Fomento) dispose of the mine. This ruling will be published in the "Diario Oficial" (Official Daily).

Art. 26 The notice prescribed in Article 7 of the law will be made in writing, by the party in interest, to the Principal Stamp Office (Administración Principal de la Renta del Timbre.) through the proper local Sub-Office or Agency. The principal Administration will advise the Treasury Department (Secretaría de Hacienda) thereof for entry in the Register.

Art. 27. The notifications referred to in Article 8 of the law will be

made also as prescribed in the last preceding Article. The Principal Administration will transmit the same to the Treasury Department [Secretaría de Hacienda] so the latter may make entry thereof in the Register and order their publication in the "Diario Oficial" [Official Daily], and effect the necessary liquidation, which it will communicate to the proper Principal Administration that the latter may return in such instances, the amount which may be due the petitioner.

Art. 28. The Concessionaires of Zones referred to in Articles 14 and 16 of this law are required to, within the first ten days of the fiscal year, communicate with the Treasury Department, that the latter, while in possession of the documents mentioned in said Articles, may issue the voucher exempting them from payment of the Annual Mining Tax (Impuesto anual de Minería) during the current fiscal year.

TRANSITORY PROVISION

For the present year only, the payment of the quarterly amount maturing in July next will not be required in that month, but can be made on any day during the months of August, September and October; or the two quarterly payments will mature on the 30th. of November next, may be effected together previous to that date.

Mexico, June 30th., 1892.

Romero.



DEPARTMENT OF THE TREASURE.

SECTION NO. 8.—DIVISION NO. 2.

The President of the Republic has been pleased to send me the following decree:

“PORFIRIO DIAZ, Constitutional President of the United States of Mexico, makes known to their inhabitants:

That the Congress of the Union has thought well to decree as follows:

The Congress of the United States of Mexico decrees:

Art. 1. In accordance with the provisions of the articles relating to the new mining law, there shall be established a Federal property tax, which shall consist of two parts: one part, which has to be paid once only in stamps, to be fixed to all titles of mining property, and the other part which has to be paid yearly for each one of the mining claim of which a grant is composed.

As regards the tax, the mining claim (*“pertenenca”*) or unit of concession shall be the one established by Art. 14 of the new mining law. Consequently all old and new mining claims existing in the Republic, whatever be their extent, shall be valued according to this unit.

For the fractions of mining claim, that amount to one half or more, the tax shall be paid as if they were whole fields and nothing shall be paid for the fraction that is less than one half.

Art. 2. Within the imperogable space of time, counted from the promulgation of this law until the 31st of October of the present year, every owner or actual proprietor of mines whatever title he may have, shall be obliged to present his documents to the office of the Treasury which the Regulations of this law may determine, so that the new stamps of ownership of the mines may be fixed to the title and account may be taken for the payment of the annual taxes of the number of mining claims (*“pertenencias”*) which form the property, a corresponding Register being opened for this purpose.

The titles which in future the Department of Promotion will extend to, according to the new mining law, have to carry the stamps corresponding to the same. These stamps shall be furnished by the party receiving the grant and shall be in proportion to the mining claims (*“pertenencias”*) which the grant contains.

Art. 3d The property stamps of the mines shall be of the value of five dollars and have to be affixed to the titles of the property, one for each mining claim of ten thousand square meters. The rule established in Art. 1 to be followed as regards the fractions.

These stamps have to be cancelled by the office of the Treasury authorized to receive the titles which were extended up to the 30th of June of the present year: the Department of Promotion cancelling those belonging to the titles which are extended in accordance with the new mining law.

Art. 4^o From the 1st. of July of the present year, all owners or proprietors of mines shall be obliged to pay the sum of six dollars annually for each one of the claims (pertenencias) of which their grants are composed.

DECREE OF DEC. 9 1904.

Art. 9. The value of the special Stamps which according to laws in force have to be attached to the title deeds of mines will be at the rate of five pesos for each claim (Pertencia) embraced by said title deeds, regardless of the nature of the mineral substances which it is desired to exploit.

Art. 10. The annual tax on the ownership of mines will be payable on the following basis:

A. The rate will be six pesos per annum per mining claim (partencia) or, in other words, two pesos for each four-monthly period, whatever may be the substances exploited.

B. If the number of claims belonging to one and the same mining concern exceeds twentyfive and these claims are all contiguous with one another the tax of six pesos will only be payable with respect to the first twenty-five claims and will be reduced to three pesos for each claim in excess of twenty-five.

Art. 12. The 2% which Art. 3 of the decree of June 6th. 1887, fixed as the maximum tax which the states or federation in certain cases, might impose on mines is reduced to 1-1/2%.-

The amount of the tax shall be the same whatever is the nature of the substance which is being worked, in the understanding that the mine has been acquired through denouncement, or by special grant before the date on which the new mining law takes effect, and that in future it shall be acquired by grant and title, in accordance with the new law.

Only those mines shall be exempt from the payment of the annual contribution on mining fields, and of the stamps on the titles of the property, which have been expressly freed from the same by contracts made with the Executive Government in virtue of the authority given by the Legislature and approved by the same. The exemption shall only last for the time stipulated in the contract, without opportunity for prorogation.

Art. 5^o The yearly property tax on mines shall be paid in three advance payments during each fiscal year, this payment to be made during the first month of each one third part of the year, in the office of the Treasury which the Regulations of this law shall determine and to which the tax payers are obliged to go in order to make their payments, without further need of notification or any other requisite on which they might found delay or excuse.

Art. 6. Failure of presentation of the title which secures the possession of the mine, within the time fixed in Art. 2, shall be punished by a fine equal to the amount of the stamps which the title has to carry, if the same be presented within the two months following the expiration of the time allowed. For every two months more that the presentation is delayed, the holder shall incur a fine equal to the amount of the stamps.

The concealment of the number of mining fields shall be punished with a fine equal to double the amount of the stamps which the title ought to have had for the conceded mining claim (pertenencias), to which shall be added double the amount of the yearly tax for the whole

of the time that the same has not been paid. This shall not interfere with the civil or criminal responsibility to which the offender is liable and to which he shall be subjected in due time.

Failure to pay the annual property tax within the first month of each one third part of the year, shall cause the owner to incur a fine amounting to fifty per cent of the amount of the tax in case he pay during the second month.

If the payment be made in the third month, the fine shall be equal to the amount of the tax. When once this last named space of time has expired without the tax and the accumulated fines being paid, the mining property shall be lost to the owner without recourse whatever. The Department of the Treasury shall make the corresponding declaration and shall publish the same in the official paper so that any other party may petition for the property.

Art. 7º When the owner of the mine sells the same, he shall give the respective notice for annotation in the Register, and the bill of sale which is given shall carry the stamps which according to the stamp tax it should have.

Art. 8º In case it no longer suits any person or company to continue working the mine or mines which he or it may possess, the corresponding office of the Treasury shall be advised in writing, so that the tax may be settled up to the date of the notification and the corresponding annotation be made in the Register.

Alfredo Chavero, President of the House of Representatives.—*V. de Castañeda y Nájera*, President of the Senate.—*Juan Bribiesca*, Secretary of the House of Representatives.—*Mariano Bárcena*, Secretary of the Senate.

Therefore, I order that the same be printed, published, circulated and given full compliance.

Given in the palace of the Executive Government of the Union, in Mexico, on the sixth day of June 1892.—*Porfirio Díaz*.—To the Secretary of State and Expedition of the Treasury and Public Credit, Citizen *Matías Romero*.—Present."

Liberty and Constitution, Mexico, June 6, 1892.—*Romero*.

To.....

ANNEXED CIRCULARS

Department of Fomento, Colonization and Industry of the Mexican Republic.—Third Section.—Circular No. 32.

Cases frequently arise, in which petitions for ground are filed in the Mining Agencies with the deliberate object of preventing others from soliciting the same ground, and for this purpose the interested parties so word them, that they ask for a large number of claims or without designating the number, make the petition cover the entire area of a municipality, district or jurisdiction of the Agency, thus abusing the ample liberty allowed by the Law with regard to the number of claims; but without fulfilling, in those petitions, the explicit provisions of Art. 16 of the Regulations of the Law of the 4th of June, 1892, seeing that they do not clearly specify the number of claims solicited, and even if they do, they do not express their situation on the ground, nor in the respective Municipality. These petitions are worded so as to cover townlands, mines which already have owners and are working, or others that are already solicited, and they omit to specify the mineral substance which is contained in them as well as the nature, formation and situation of the mineral vein, as they ought to do, in order to prove that the claims so solicited come under the provisions of Art. 3 of the above mentioned Law of the 4th of June, 1892, which refers to special concessions. The method adopted by these petitioners is that of making a considerable reduction in the number of the claims during the course of the proceedings; but at the same time getting some one else to petition for the abandoned ground, so that he will in his turn follow the same methods. It also frequently happens that the petitioners for mining concessions in such cases, refuse to give any explanations to the Mining Agents, on the pretext that the latter are bound, in compliance with the provisions of the final part of Art. 15 above mentioned, to register their petitions in spite of those objections and their refusal to give explanations, thus evidently showing that the petitioners do not understand the real significance of Art. 15 as the authority which is given to the Mining Agents to ask for explanations without obliging the petitioners to answer, must be understood as only applying to those cases in which, notwithstanding the fact that the petition complies with all the above requisites, the Agent may still have some doubt, but in no way implies, that the petitioners for concessions should omit any of the requisites explicitly demanded by the above mentioned Articles.

In view of these infringements of the Law and its Regulations and with the object of preventing these abuses, which not only work to the injury of the real miners but also to that of the Mining industry in general, the President of the Republic has been pleased to order, that without in any way limiting the liberty granted by Law for soliciting any desired number of claims, Art. 15 of the Regulations of the Law of the 4th of June 1892, should be further explained as follows:

1st. Before petitions for concessions that are filed in Mining Agencies can be admitted to registry and investigation, it is an indispensable requisite that, in accordance with Art. 3 of the Law of the 4th of June 1892 and Art. 15 of its Regulations, such petitions should clearly and explicitly state the number of claims that are solicited, the form they are desired to have on the ground, their situation in the Municipality they belong with the most notable points of identification specifying also the mineral substance which it is proposed to extract and the nature, form and situation of the vein in which it is found, stating whether the ore is found in a vein, bed, placer or in any other form; clearly stating place or places the territory of the respective Agency in which the outcrop can be recognized, with all the details that can assist an identification. In those cases in which the petitions for concession do not duly comply with the requisites enumerated in this paragraph, they cannot be admitted or registered.

2nd. If, notwithstanding the compliance with these requisites, the petition should not be clearly worded in the opinion of the Mining Agent, he will question the petitioner and take down his explanations on the petition itself, on the duplicate and in the register of the Agency in the presence of the interested party; but should the latter either be unable or refuse to give them and provided that the petition as above said, fulfills all the requisites above mentioned, the Mining Agents will receive and forward the petition, simply noting on it as well as on its duplicate and in the register, in the presence of the interested party, the explanation requested and the answer of the petitioners, and on forwarding the records he will call the attention of the Department to this note, in order that it may be taken account of in the Revision.

3rd. The petitions for concession which ask for interrupted claims, will be received, provided that such claims are within the same Municipality and on the same lode, as in the event of their being in different Municipalities or on different lodes, separate petitions must be presented for those which relate to each lode or Municipality, and in both cases, the petitions can only be admitted when they comply with the requisites referred to in paragraph 1st.

4th. The Mining Agents will under their own responsibility see that all these provisions are duly complied with. - Liberty and Constitution, Mexico, October 31, 1899. *Fernández Leal*.

Liberty and Constitution, Mexico, October 31 de 1899. *Fernández Leal*.—To

Department of Fomento, Colonization and Industry of the Mexican Republic.—Title 8, Section 1, Article No. 33.

In accordance with Art. 31 of the Regulations of the Law of the 4th of June 1892, in respect of concession, the Mining Agents of the Department of Fomento will deliver the records to the interested parties, in order that, under their responsibility and within the term fixed for that purpose by the Agency, they may present them to the Department of Fomento, in order that the interested parties may frequently arise in order to consult on the terms and conditions of the concession proposed by the Agent, and interested parties may, under the belief that they can dispose of an immediately available concession, do not present the concession, but after the expiration of the term fixed by the Department of Fomento, keep the claim they possess in their hands for speculative purposes, to the prejudice of the miners who act in good

faith, and of the Government, besides rendering themselves liable to the penalties referred to in Art. 19 of the Regulations, the President of the Republic has seen fit to issue the following explanations for the purpose of correcting such abuses:

1st. The Petitioners for Mining concessions to whom the Mining Agents may deliver the original records for presentation to the local Court of First Instance, in accordance with the provisions of Art. 31 of the Regulations of the Law of the 4th of June, 1892, or the other persons to whom the copy of the records may be delivered in accordance with the provisions of the final part of Art. 34 of the same Regulations, and who may not make such delivery within the term specified by the Mining Agent and thus bring themselves under the provisions of Art. 19 of the Law of the 4th of June 1892 and Art. 36 of the Regulations, will suffer the penalty established by said articles for their delay, and the Department of Fomento will make the respective declaration, which will be published on the Notice Board of the corresponding Agency, so that any other person may solicit the same concession.

2nd. On delivering to the petitioner, either the original records for presentation to the respective Court, or the copy for presentation in the Department of Fomento, the Mining Agents will always take care to specify a prudent term, as may appear to them necessary for such delivery, taking into account the distance of the place in which the Agency is established to the respective Court, if it is not in the same locality, or to the Capital of the Republic, as the case may be, as well as the greater or less facility of communication.

3rd. On the same day on which the Mining Agent may deliver to a petitioner the original records of his petition or the copy thereof, he will notify the respective Judge or the Department of Fomento as the case may be, by registered mail, giving the name of the petitioner and of the mine, the situation of the latter, number of claims solicited and the term granted for delivery of the document.

4th. If on the expiration of the term allowed to the petitioner for delivery of the records to the Court of First Instance, the Agent does not receive advice of the arrival of the documents at their destination, he will ask on that same day and if possible by telegraph, whether the Judge has received the records, and in the event of his receiving a negative answer or none at all, he will at once notify the Department of Fomento, giving all the details of the records in question, so that the Department, in the event of their not having been delivered to the Judge, may make the declaration of default which is referred to in paragraph 1, and commit the case to the competent District Judge, in order that he may recover the original record.

5th. If, on expiration of the term granted to the petitioner for delivery of the record in the Department of Fomento, it should not have reached that office, the respective declaration of default will be made.

6th. The Mining Agents will strictly comply with these rulings, as far as they relate to themselves, and will be held responsible for their non-compliance.

Liberty and Constitution. Mexico, November 1st, 1889, — *Fernández Leal.*—*To*

Department of Fomento, Colonization and Industry of the Mexican Republic.—Third Section.

The President of the Republic has been pleased to address to me the following decree:

“*PORFIRIO DIAZ* Constitutional President of the United States of Mexico, to the inhabitants thereof, know ye:

That the Congress of the Union has been pleased to decree as follows: The Congress of the United States of Mexico decrees:

Art. 1. Whenever, in accordance with Art. 13 of the Law of the 4th of June, 1892 and with notice, the permit or petition referred to in Arts.

10, 11 and 12 of the Regulations of the same Law, an expert report is presented to the respective Mining Agent of the Department of Fomento, in which, under the responsibility of the author thereof, the existence of underground gold placers is indicated, the term of exploration will be extended up to one year, the investigations will be carried out as well as the explorations, in accordance with the Law of the 4th of June 1892 and its Regulations and with the Law of the 14th of December 1897; except with regard to the depth of the shafts, if they are used in explorations which may be such as is necessary.

For the purposes of this Law, the underground gold placers will be understood as being only those which are found at such a depth that their operation demands underground workings of a real mining character.

The placers which even when covered by alluvial earth or other rocks, are not at such a depth as to require underground workings, but are operated by removing the earth from the surface, will not be considered as coming under this Law, and consequently, the explorer of the same will be subject to the provisions of the Laws above mentioned.

Art. 2. The extension of the term for exploration in the case of the underground gold placers referred to in the preceding article, will not prevent the exploration within the limits of the zone, and in accordance with the Law in force, of other lodes containing ores of a different character and for the purpose of soliciting concessions.

M. Peniche, President of the Deputies.—Ignacio Pombo, President of the Senators —Lorenzo Elizaga, Secretary of the Deputies.—A. Castañares, Secretary of the Senators.

And therefore, I order that it be printed, published, circulated and duly complied with.

Given in the Palace of the Executive in Mexico on the 13th day of November, 1890.—*Porfirio Díaz*.

To the Engineer Manuel Fernández Leal, Secretary of State and of the Department of Fomento, Colonization and Industry.

And I communicate the same to you for your information and other purposes.

Liberty and Constitution. Mexico, November 13, 1890.—*Fernández Leal*.—To,

Department of Fomento, Colonization and Industry of the Mexican Republic Third Section.—Circular N° 1.—When the new Mining Law goes into force this office reckons on your intelligence and progressive ideas, as well as on the simplicity and clearness of the principles of the law itself, in order that the application of the same and its respective regulation may not offer any practical difficulties.

Taking into consideration, however, that in the transitory period, now entered upon, some doubts and difficulties might arise, this office, in order to avoid them, deems it advisable to make certain observations to you relative to the prominent points of said law and its first regulation.

As you will see, from Article 3 of the new law, the detailed specification of Articles, that require a special concession to be worked, is clear and decisive and cannot for the same reason, give rise to any doubt as to the request for concessions that can legally be presented.

The new law grants complete liberty regarding the number of *pertenencias* that may be asked for, without taking into account whether there are one or various petitioner or whether they represent a company; the interested party may acquire as many *pertenencias* as he may desire.

Although it has endeavored to make the steps which, according to the law, have to be taken in regard to prospecting, easy, while also giving the prospector sufficient guarantee, I recommend, that you, on your

side, be especially careful, when exacting the guarantee to be given by the prospector, to take into account the true prejudice that may really be caused to the owner of a property, with the view of prudently estimating the amount of said guarantee, so as not to make it excessive.

In the registration of requests for concessions it has also been tried to give the petitioner every kind of security, with the object of avoiding the frequent complaints which, in this respect, occurred under the system of denouncement. When the requirements, fixed by the law in this matter, are complied with, sufficient publicity shall be given the request, thus relieving the Agents of the responsibility held by the Mining Deputation, owing to the manner in which the publications were made; and leaving it to the petitioner and such persons as may, for some cause or other, be interested in the matter to look after the part that may concern them.

As the indication and measurement of the pertenencias on the spot is of great importance, I recommend you to endeavour that the experts, to whom you entrust these operations, fully understand their task and the responsibilities which they will incur through executing their work badly; this, according to Article 19 of the regulation, not only refers to regularly inscribed experts, but also to purely practical ones, and gave rise to the provisions of Articles 38 and 39 of the regulation, which are in accordance with the ruling law of land measurements of the 2nd of August 1863.

As the law does not require the presence of the Fomento Agent or any other authority at the operation of indicating or measuring the pertenencias, the petitioners will now not be put to the expenses which the presence of said Authorities before caused, without, however, depriving the operations of all their necessary legal force, in view of the fact that the operation is in reality reduced to technical work and does not involve the taking of property nor discarding of rights, because these are safely guarded by the provisions of the law and the regulation. The Expert bears, during his operations, the character of a legitimate trust from the Public Authority as per the provisions of the regulation.

It has been endeavored to make the steps necessary to put a request for a mining concession through as easily as possible, and also that they should notably differ from the steps that had to be taken according to the old law, it will be your duty to see that the steps are complied with within the time specified by the regulation, extra-officially, inducing the petitioners to carry them through, without the latter, however, being obligatory on the part of the agent. I will also call your attention to the advisability of pointing out to the petitioners the facilities which the law offers to bona fide parties in acquiring a mining property, at the same time that it prevents the slow and the deceitful speculator from impeding the acquisition of the concession by other parties.

In order to avoid any doubts or perplexity, with regard to the petitioners, experts or oppositionists, as well as any difficulties that may arise in the sending of the copies that have to be transmitted to the Ministry, I request you to be exceedingly explicit without prejudice to being concise, in the wording of the extracts, records and reasons that may be expressed in the documents as well as to be very careful in arranging them.

It is advisable to inform you, in order that you may notify the petitioners for mining concessions, that they need not have an attorney or other kind of representative in this capital for the purpose of receiving the title to their property; because, as soon as the documents have been approved and the corresponding stamps furnished, in the manner prescribed by the regulation, the title will be forwarded to the petitioner, through the respective, agent of Fomento, without any extra expense being incurred by the interested party.

In conformity with the basis which governs this law, and as the miner is not compelled to begin his development work within a stated time, he is at liberty to make arrangements with the owner of the land to the time most suitable for such commencement, in order to give

greater scope to his development work, thus avoiding the expense of taking possession, which is not obligatory by the law, it being sufficient in order to acquire the preference to have the documents approved, under the actual state of the common legislation of the entire Republic and the corresponding title will be issued, which is amply sufficient to enforce all judicial rights. Such parties, who are desirous of being put in possession of what they have acquired, with greater celerity, will in future have to apply to the judicial authorities for such purpose.

Taking into consideration that the law, as well as the regulation, only authorizes the agents in their dealings to exercise purely administrative and clearly defined functions, this office trusts that the work of the Agents will be carried out more expeditiously than was the case with the Mining Deputations, and that thereby the development of the mining industry will be greatly enhanced.

This office feels confident that your intelligence, your zeal for the public welfare and your competency to discharge the duties with which you have been entrusted, will prevent any difficulty in the application of the provisions of the regulation and will facilitate the acquisition of mining properties, in conformity with the principles of the new law.

Liberty and Constitution. Mexico, July 1st 1892.—*Fernández Leal.*
--To the Mining Agent of the Department of Fomento at.....

Department of Fomento, Colonization and Industry of the Republic of Mexico.—Third Section. —Circular No. 2.

This Office, having consulted the Treasury as to whether the Mining Agents appointed will require credentials for the despatch of their business, has received the following decision:

"This Office has received your attentive communication No. 104 of the 5th instant in which you inquire whether the Agents appointed by the Office under your charge, will, in virtue of the new mining law of June 4th. last, require credentials for the despatch of their business.

"In answer, I have the honor to inform you, that, in conformity with the previous resolution of the 25th. of September 1888, which was brought about by a similar case of officials or employees who merely received emoluments, it will be necessary to issue credentials to the Mining Agents in the States and Territories for the despatch of their business and to cancel a ten dollar stamp on same."

Which I communicate to you for your information and consequent ends, with the understanding that a term of two months is granted you in which to provide yourself with said document.

Liberty and Constitution. Mexico, 22nd. July 1892.—*Fernández Leal.*—To the Mining Agent of the Department of Fomento at.....

Department of Fomento, Colonization and Industry of the Republic of Mexico.—Third Section.—Circular No. 3 —Owing to the case having arisen, where petitioners for a mining concession, after having presented the corresponding request, manifesting the desire to increase the number of pertenencias asked for, and as the Agent enquired from this Office, whether they should be looked upon as having renounced the first petition and made to present a new one, the President of the Republic, to whom the matter was referred was decided as follows: that in case the declaration for an increase or reduction of pertenencias is made by the petitioner before the publication of the extract referred to in Article 21 of regulation for procedure in mining matters, there will be sufficient that such manifestation appears in the petition, in duplicate and in the register book, the corresponding extract being published together with such modification, and without the necessity of making a new petition; but if the alteration is asked for after the pub-

lication of the extract, then the renoucement has to be carried out and a new petition presented.

Which I communicate to you for your information and with the view that you act in any asimilar case according to the tenor of the aforesaid resolution.

Liberty and Constitution. Mexico, August 1st. 1892.—*M. Fernández Leal*.—To the Mining Agent of the Departament of Fomento at . . .

Departament of Fomento, Colonization and Industry of the Republic of Mexico.—Third Section—Circular No 4.—The Mining Agent of this Office, at Monterrey, in a communication dated the 6th of July last, consulted as to the steps he should take with petitions for concessions already admitted and which the petitioners renounce, and in reply, this office in a communication dated 30th. of same month informed him as follows:

“As a decision of the reference made by you in comunication dated the 16th. instant, I have to inform you that the renoucement can be made, before or after the publication, in person or by writing: if it is before the publication and in person, it will be sufficient if this is noted on the documents, and the interested party should sign such entry, so that it can be archived with the respective documents, and if the renoucement is made by writing, this will be filed with the documents that are archived. In the case renoucement is made during the publication of the notices, the correspondig notice, that is being published, will be taken from the board and the same steps indicated will be taken whether the renoucement is made in person or by writing. Lastly, I have to inform you, that in the statements, which the Agencies have to make monly, as to the petitions for concessions which have been carried out during the preceding month, these renoucements have to appear.”

Which I communicate to you for your information and respecti-ve use.

Liberty and Constitution. Mexico, August 2nd. 1892.—*Fernández Leal*.—To

Departament of Fomento, Colonization and Industry of the Republic of Mexico.—Third Section.—Circular No 5.—It is of the greatest interest to this office to have exact information as to the movement in the mining business under the jurisdiction of your Agency, because in view of the number of petitions, as well as the quantity of pertenencias asked for, a clear idea can thus be formed of the importance of the various minerals of the contry and this office will then be able to judge as to the steps that should be taken in order to favor the development of the mining industry.

In order with the greater facility to be able to collect the information, which, in conformity with Article 9 of the ruling regulation, the Agents have to remit to this office, statemets or blak forms have been prepared, of which I send you the necessary copies, in which the subjects regarding which information is required are clearly stated, and I must request you to be most regular in sending in these forms when filled up, as well as to be exact in the information given in them.

Said information should commence together with the date which belong to the present fiscal year, and be continued afterwards in conformity with the indication of the already referred to Article 9 of the regulation.

Liberty and Constitution. Mexico, Augusto 1st. 1892.—*Fernández Leal*.—To the Mining Agent of the Departament of fomento at

Department of Fomento, Colonization and Industry of the Republic of Mexico.—Third Section.—Circular No. 6.—As it is of considerable interest to this office to know the prices and the consumption of Articles employed in the mining industry, I send you some blank forms, which have been drawn up for this purpose and so that you can supply the data therein indicated informing you that the data in regard to consumption should correspond with the total consumed in all the mining camps within the jurisdiction of your Agency.

I caution you to use the greatest exactitude and regularity in the preparing and monthly sending of these forms, starting with those corresponding to the present fiscal year and that the data dealt with be made out according to the decimal system of weights and measures.

Liberty and Constitution. Mexico, August 9th. 1892.—*Fernández Leal*.—To the Mining Agent of the Department of Fomento at

Department of Fomento, Colonization and Industry of the Republic of Mexico.—Third Section.—Circular No. 7.—In view of an inquiry made to this office by one of its Mining Agents, as to the application of the Stamps Law with regard to the Registry books, that have to be kept in the Agencies said inquiry was referred to the Department of the Treasury, who resolved as follows:

“Paragraph 52, annex Ll of Article 6 of the Law does not state that the books and indexes of Mining Deputations have to be habilitated (stamped) but on the contrary exempts them from the impost, and consequently from the authorization (of the Stamp Office), and although the Registry, to be kept by the Agents of the Department of Fomento, and to which the present inquiry refers, is of public interest, because its entries give and define rights: still, as the Agencies are considered as federal offices, the books to be kept by them are looked upon as similar to those in the other offices and only require an official authorization i. e. that of the Department of Fomento, in accordance with Article 17 of the regulation for administrative procedure in mining matters dated the 25th. of July last.”

Which I communicate to you for your information and consequent ends.

Liberty and Constitution. Mexico August 10th. 1892.—*Fernández Leal*.—To the Mining Agent of the Department of Foment at

Department of Fomento, Colonization and Industry of the Republic of Mexico.—Third Section.—Circular No. 8.—In order to facilitate the carrying out of the decision in the circular of this office date 22nd. of July last, with regard to the credentials to be issued to the Mining Agents of this Ministry, you should deposit with the Post office of your locality the sum of thirteen dollars and twenty cents, which is the amount of the stamp, requisition and copies of said credentials advising this office when the deposit is made.

If, on receipt of the present circular you should already have sent to this office the required \$10 stamp you will then merely deposit with the Post Office referred to the remaining \$2.20 for the expenses incurred for the requisition and copies of the credential mentioned, which will be forwarded to you in due course, as soon as you comply with the prescriptions of the present circular.

Liberty and Constitution. Mexico, August 29th. 1892.—*Fernández Leal*.—To the Mining Agent of the Department of Fomento at

Department of Fomento, Colonization and Industry of the Republic of Mexico.—Third Section.—Circular No. 9.—Under date of the 15th instant the Treasury Department notifies this office as follows:

"In view of the reasons set forth by the miners of Tasco de Alarcon in a petition made to this office under date of the 22nd. of July last, they as well as the Chiefs, of Hacienda, Administrators of the Stamp Office, and other corresponding offices, have in answer by means of a circular, been notified of the following resolution:

"In order to obviate the difficulties that may arise in various parts of the national territory for the purpose of carrying out the prescriptions of article 3 and 5 of the Regulations of the 30th of July last, of the law of imposts on mining, owing to the distance of some mining camps from the respective Hacienda office the President of the United Mexican States has deigned to decide, that, in such cases, the nearest Agent of Fomento shall, by means of the payment of the fees which for this transaction are fixed by the corresponding office and which have to be collected from the interested, parties be authorized to receive the manifestation prescribed by said Article 3 and copy of the original titles, as well as the latter ones referring thereto. This copy will be examined and legalized and together with the manifestation will from the documents which the Agents, jointly with the report to be made as to the exactness and reduction of the pertenencias, will send to the corresponding Hacienda office, so that the latter, without any further operations than that of taking note, can take the course laid down in Article 5 of the regulation: the Agents of Fomento will, however, be careful to Affix and cancel the legal stamps on the original titles retaining, them in their possession, until final desesion is given, in order to return them to the owners, after indicating on them the order, number and date of the annotation and the registration of the Federal Mining Impost, that may have been fixed upon them by the respective Treasury office.

"Which is notified you for the requirements necessary."

"I have the honor to advise you of it, in order that you may notify the Agents under your jurisdiction and indicate to them the fees which they ought to collect and the steps they have to follow in the operations recommended to their care."

Which I communicate to you for your information, notifying you that over and above the fees for examination and authorization of titles fixed by the tariff of the regulation, you should collect the sum of \$2 for revising the reductions of the old pertenencias to the new, in conformity with the law, and for the corresponding report to be made by the respective Treasury office.

In case any error or discrepancy in the conversion of the pertenencias should occur in this revision, you should call the attention of the interested parties to it, so that they can make the due rectification and amend their manifestations; and if they do not agree to this you should make a note of it in the report.

Liberty and Constitution. Mexico August 30th. 1892.—*Fernández Leal*.—To the Mining Agent of the Department of Fomento.

Department of Fomento, Colonization and Industry of the Republic of Mexico.—Third Section.—Circular No. 10. As one of the Mining Agents has consulted this office with respect to the fees that should be collected for the certified copies of plans which they have to issue, it has been decided, that whereas, in accordance with Article 21 of the regulations of administrative procedure, the experts are the persons who should present the plan in triplicate: with the object that one copy be filed with the documents and the other two copies, together with the one attached to the documents, be sent to this Office, examined and authorized by the Agent with the corresponding stamps, which have to be provided by the interested party. The Agent may collect

as a fee, for the examination and authorization referred to, the amount of one dollar.

In case the interested parties desire to have a copy of the plans, filed in the archives of the agencies, it can be granted them or the person designated for such purpose to make said copies within the premises of the Agency, the Agent collecting for the examination and authorization the same fee of one dollar.

Which I communicate to you for your information and guidance. Liberty and Constitution. Mexico, September 1st. 1892.—*M. Fernández Leal*.—To the Mining Agent of the Department of Fomento at

Department of Fomento, Colonization and Industry of the Republic of Mexico.—Third Section.—Circular No. 11.—In view of the inquiries recently made by some Mining Agents, asking for instructions with respect to the steps they should take in such where, in virtue of the provisions of the Mining Law of the 4th of June 1892, petitions are presented to them for amplifying, rectifying, or ceding mining properties, the President of the Republic, to whom I communicated these inquire, has deigned to issue the following resolutions:

When the amplification of the number of pertenencias of a mining concession is desired, the petition should be made solely in regard to the new pertenencias that it is wished to acquire, in the same manner as if a new concession were asked for, it being necessary to issue the corresponding title to the new portion of property asked for. The plan, made by the expert, should be for the new portion of property, duly connecting it with the old one, and the landmarks should be placed on the division lines of the new property, in conformity with the provisions of the respective regulations.

In the case of rectification when it is merely a question of verifying the measurements of the pertenencias on the land, in order to make them agree exactly with the title to the property, then the steps to be taken will be the same as for a new concession, and the landmarks should be placed in conformity with the Regulation; but as it is not necessary to issued a new title, the matter will be settled by the Agent handing to the interested party a certified copy of the stamps taken, which the latter will attach to his title of the property. But, if on asking for a rectification, it is desired to correct the errors that may exist in the title to the property, then the issuing of a new title, in conformity with the law, will be proceeded with, and consequently all the steps necessary for a new concession will previously have to be taken.

When a reduction of pertenencias is asked for, which have been acquired in accordance with the new law, this does not necessitate the issue of a new title to the property, and the Agent before whom the petition, together with the respective title, is presented, will name an expert who at the expense of the interested party and within the time which the Agency may deem necessary, will make a plan of the reduced property and place the necessary landmarks in conformity with the Regulation.

The Agent will make a note of reduction asked for and affected in the Registry of petitions for concessions of the Agency, as well as on the title to the property, which he will deliver to the interested party, together with a certified copy of the steps taken, and the matter will be determined by a notification of the reduction made being at once sent to the respective Stamp Office.

In case it is a question of the reduction of pertenencias acquired prior to the law of the 4th. of June 1892, similar steps will be taken the Agent furthermore being guided, when necessary, by the provisions of Circular No. 9 from this Office August 30th.

The Agent should give the corresponding particulars of all cases, that occur, in the monthly report which he has to send to this Office.

And I communicate all the foregoing to you for your information and consequent ends.

Liberty and Constitution. Mexico, September 3rd. 1892.—*M. Fernández Leal*.—To the Mining Agent of the Department of Fomento at

Department of Fomento, Colonization and Industry of the Republic of Mexico.—Third Section.—Circular No. 12.—This office under date of July 30th. last addressed the following communication of the Forcing Office.

The new mining Law of June 24th this year, does not in any of its Article, put any restriction against foreigners acquiring mining properties in the Republic. Notwithstanding this the Law of February 1st. 1856, as to the acquirement of properties by foreigners, is still in force, as well as the one of May 28th. 1886 regarding foreigners and naturalization, in accordance with which this office, has been granting the permits to acquire real state, including mining properties as it is thus prescribed regarding them in Article 6 of the Mining Code, which has ceased to be in force.

In view of this I shall feel obliged if you will advise this Office, whether foreigners, who wish to acquire mines within the frontier zones of 20 leagues, are obliged to solicit the corresponding permit according to the terms prescribed by the law of February 1st 1856.

In case you are of this opinion, this Office takes the liberty of pointing out to you the advantage of fixing the steps for the solicitation of the permit within the time specified by the mining law in force for obtaining the title to a mine, because, as said time cannot be extended, it might occur that the foreigner may not succeed in obtaining the concession and will thus lose the right to the pertenencias he solicited, owing to his not having obtained the permit to acquire the property within the proper time.

In order to avoid these difficulties, should your Office approve of it, it might be decided that when a foreigner present his petition for a mining concession, he should, more, or less at the same time, send in his petition for a permit to this Office through the respective Governor, so that, when the time comes for issuing the title to the property, the corresponding permit will then have been granted or refused.

To this communication the foregoing Office replied as follows:

Mexico August 13th 1892. I take note of what you are good enough to communicate to me in your dispatch of July 30th last issued from the Third Section under No. 1,083, relative to permits solicited by foreigners, who wish to acquire mines within the frontier zones of 20 leagues.

In answer I have the honor to inform you, that foreigners have still to ask for permits according to the foreigners law, because his being of a special nature, cannot be looked upon as abolished by the New Mining Law which is of a general character and does not contain any proviso that can be considered as expressly abolishing this requirement; but this Office finds no objection to, on the contrary considers the practice proposed by the Office under your charge, useful, in order to avoid the delays and difficulties indicated."

Which I communicate to you for your information and consequent ends.

Liberty and Constitution. Mexico, September 5th, 1892.—*M. Fernández Leal*.—To the Mining Agent of the Department of Fomento at

Department of Fomento, Colonization and Industry of the Republic of Mexico.—Third Section—Circular No. 13.—Inquiries having been made by various Mining Agents as to whether petitions for concession can be admitted, when presented by persons in charge of Mining Com

panies holding merely a letter of authority, this office, taking into account that it is a question of executing a mandate, which it is necessary should be authorized by a power of attorney in due form, considers that the presentation of the latter must always be insisted upon. But in order to facilitate the interested parties in complying with said requirement and in order that they should not lose the opportunity to present their petition for a concession in due time, those made in the name of other persons may be admitted, when the person presenting same gives a guarantee and undertakes to produce a legal power in due form at the latest within 60 days; which according to Article 21 of the regulation of the Mining Law, is the time fixed for the expert—wherein to present the plan and respective report. The undertaking must be duly entered in the documents, as well as the note that if such time should elapse without the power being presented, it will be to the detriment of the interested party.

I advise you of this for your information and consequent action.

Liberty and Constitution. Mexico October 15th 1892.—*M. Fernandez Leal*.—To the Mining Agent of the Department of Fomento at. . . .



Department of Fomento, Colonization and Industry of the Republic of Mexico.—3rd. Section.—Circular No. 14.—As the General Management of the Stamp Office have issued a circular relative of the stamps necessary for mining exploration permits, given by the owners of lands in order to make explorations according to article 13 of the Mining Law, as well as concerning the notices when reference is made to national lands, this Office, in view of the fact that said permits and notices do not form part of the documents nor are registered in the books, wherein request for concessions are entered at the Agencies, begs the Treasury to be good enough to explain the nature of the order given to the Stamp Managers, furthermore taking into account the before mentioned reasons laid before it for consideration, relative to the advisability of facilitating mining explorations in order to further the development of this important branch of the public wealth.

As a result of said considerations the department of the Treasury has issued the following resolution to the General Manager of the Stamp Office and transcribed it to this Office.

“The President of the United States of Mexico has deigned to decide that the nature of the order given by this Office, under date of August 15th last, relative to the use of stamps on permits granted for making exploration in search of mines, shall be understood as follows:

When these permits are given unconditionally by private parties, with regard to lands of their own property, they are not subject to a stamp tax; but when they contain stipulations of any nature whatsoever, they will be considered as contracts and must bear a 50 cent stamp on each sheet, according to annex A., paragraph 29, article 6 of the law of March 31st 1887.

The President has likewise been pleased to decide, that the notices, which according to article 13 of the Mining Law have to be given to the Authorities through whom mining explorations are made on national lands, are not subject to the respective impost.

Which I advise you of for your information in answer to your communication No. 1,342 of this date.”

Which I communicate to you for your information and consequent ends.

Liberty and Constitution. Mexico, October 17th, 1892.—*Fernández Leal*.—To the Mining Agent of the Department of Fomento at.



Department of Fomento, Colonization and Industry of the Republic of Mexico.—3rd. Section.—Circular No. 15.—This Office having consulted the Treasury as to whether the explanatory notes which the experts

have to send in with the plans, as well as the copies of the documents which the Agents remit to this Office, should be stamped, said Treasury Department has, in answer, forwarded to this Office the following report drawn up by the General Management of the Stamp Office.

"The Accountants Office of this Management, to whom I referred for examination your communication No. 1,678 of September 10th last, has given the following decision:

In this order information is asked regarding the inquiry, as per communication enclosed, made the Treasury by the Department of Fomento, as to whether stamps should be affixed to the explanatory notes which the experts have to send in with the plan according to Article 21 of the Mining Law, and whether they have to be used, and of what value on the copies of the documents which the Agents draw up and which will begin to be received shortly.

The Accountants Office, similarly to the Department of Fomento, is of the opinion that the explanatory note of the plans do not require stamps, in view of the fact that they are not needed on the plans themselves, according to part II of paragraph 41, Article 6 of the Law: neither should stamps be used on the copies of documents, inasmuch as on drawing up these documents they have to bear the stamps prescribed in part I of the same paragraph, as well as because these copies are and must be looked upon as Office vouchers.

Such is the opinion of the Accountants Office but the General Manager will be pleased to decide what he may deem expedient.

And I have the honor to transmit it to you in regard to the aforementioned report, advising you at the same time that this General Management entirely agrees with the opinion given in the above decision, but your Department will decide upon what, under the circumstances, it may deem most expedient.

The President of the Republic having giving a similar opinion I have the honor to transmit it to you, in answer to your communication No. 1,281 of 6th. ultimo.

Which I communicate to you for your information and consequent ends.

Liberty and Constitution. Mexico, 19th October 1892.—*Fernández Leal*.—To the Mining Agent of the Department of Fomento at.....

Department of Fomento, Colonization and Industry of the Republic of Mexico.—3rd. Section.—Circular No. 16.—As the case has appeared that some of the owners of mines are not in the possession of the respective original titles, owing to their having been misaid, nor are they to be found in the archives received by the Mining Agencies from the exterior Deputations, the President of the Republic, in order to avoid the detriments that might arise to the owners from not presenting said titles within the time specified by the Treasury Law as to mining imposts in Article 2 and in Article 3 of the Regulation, has decided that reference be made to Congress who issued the law which was approved on the 13st. ultimo, Mining owners, finding themselves in the circumstances mentioned, should petition the respective Mining Agency for the ratification of the mining concession which they may have, or wish to preserve, and said petitions should go through the same course as if it referred to a new concession on public lands, without any other modification than that of making a note in the petition to the effect that it is desired to remedy the want of a title to the mining concession which the owner had acquired prior to the new law.

Which I communicate to you for your information and consequent ends.

Liberty and Constitution. Mexico, November 11th. 1892.—*Fernández Leal*.—To the Mining Agent of the Department of Fomento at. . . .

Department of Fomento, Colonization and Industry of the Republic of Mexico.—5th Section.—Circular No. 17—This Office having consulted with the Treasury as to the stamps on the copies of nominations of experts, the latter Office has replied as follows:

"In answer to communication No. 2,945 of the 5th. instant from your office stating that various Mining Agent had consulted you, as to with annex A, paragraph XXXI, article 6 of the Stamp Law in force, which expressly to titles and nominations, and the one of the other annexes referred to in said communication can be applied in this case." With I communicate to you for your information and consequent ends.

Liberty and Constitution. Mexico, November 12th 1892.—*Fernández Leal*.—To the Mining Agent of the Department of Fomento at

Department of Fomento, Colonization and Industry of the Republic of Mexico.—Third Section.—Circular No. 18—Under date of the 2nd. instant the Treasury advises this office as follows:

"In answer to a telegraphic inquiry from the Chief of the Treasury in the State of Zacatecas, as to whether the manifestations, soliciting reductions of pertenencias, presented to the Mining Agent, should be stamped, this Department has to-day replied by wire:

"Request for reduction of mining pertenencias are subject to Stamp of 50 cent per sheet."

With I communicate to you for your information.

Liberty and Constitution. Mexico, November 13th. 1892.—*M. Fernández Leal*.—To the Mining Agent of the Department of Fomento at

Department of Fomento, Colonization and Industry of the Republic of Mexico.—Third Section.—Circular No. 19.—In order to facilitate the miners in furnishing the stamps that have to be affixed to their titles to mining properties, in accordance with article 1 of the law of impost on mining of the 6th of June of the current year, this office addressed the Department of Communication, requesting it to issue orders to the local post-office to receive the amounts that interested parties may hand in for such purpose. In answer, the Department of Communication has replied follows.

"Orders have already been given to the General Post Office to instruct the local offices in the Interior to receive the amounts that miners may hand in for stamps on their titles to property.

I have the honor to inform you of it, in answer to your dispatch No. 3,449, 5th. Section of the 29th. of October last.

With I communicate to you for your information and so that you can, when need be, notify the parties interested.

Liberty and Constitution. Mexico, November 14th. 1892.—*Fernández Leal*. To the Mining Agent of the Department of Fomento at

Department of Fomento, Colonization and Industry of the Republic of Mexico.—Third Section.—Circular No. 20. The Mining Agent at Zimapan State of Hidalgo, has addressed the following inquiry to this Office.

Some miners in this District, complying with the prescriptions of article 3 of the regulations of the law of impost on mining, and Circular No. 9 of the 3th of August last, have presented their original mining titles for revision to this Agency. Several of them have supplied the necessary stamps to legalize their titles, but the greater number of the miners decline to supply the stamps, and even demand the return

of the titles, stating that the Legislative Chambers have voted a law, proroguing the presentation of such titles until the 30th of June, 1893. In view of the foregoing, I request you to advise me, whether I am to return the titles and other documents presented, to the interested parties, or whether I am to exact the corresponding stamps, in view of the fact that the aforesaid documents have already been filed and revised in this Agency."

The foregoing inquiry was referred to the Treasury, who gave the following decision:

"This Office has taken due note of your dispatch No. 3,681, 3rd. Section, of the 7th instant, in which you enclose the inquiry received from Mr. Jesus Cervantes, acting Mining agent at Zimapan, Hidalgo, and in answer I have the honor to inform you, that the extension of time, granted by the law of the 31st of October last for the presentation and registration of mining titles, is only applicable to cases where mine owners were undoubtedly unable to make the presentation earlier; and for this reason the Mining Agent at Zimapan should proceed in accordance with the steps laid down in the law of the 6th of June last and its Regulation, as well as in the Circular of the 1st instant."

Which I communicate to you for your information and consequent action.

Liberty and Constitution. Mexico, November 15th 1892.—*M. Fernández Leal*.—To the Mining Agent of the Department of Fomento at.....

Department of Fomento, Colonization and Industry of the Republic of Mexico.—3rd. Section.—Circular N^o. 21.—In order to prevent the absence from the Mining Agencies of the officials under whose charge they are, and as it happened that some of the Agents have absented themselves temporarily without giving the corresponding advice to this office, it is decided that in future, when Agents have to absent themselves for more than eight days they may do so by previously calling in the respective acting Agent and giving due advice to this Office. Should a longer absence be necessary they will first have to solicit the permission of this Office, indicating the reason for such absence, and the time needed, so that a corresponding decision may be taken.

Which I communicate to you for information.

Liberty and Constitution. Mexico, November 20th 1892.—*Fernández Leal*.—To the Mining Agent of the Department of Fomento at....

Department of Fomento, Colonization and Industry of the Republic of Mexico.—Third Section.—Circular N^o 22.—This Office having inquired from the Treasury as to whether the Acting Mining Agents are obliged to provide themselves with the corresponding credentials, said Department answered as follows:

"As a result of your inquiry made to this Department in communication N^o 3,572 of the 29th of October last, as to whether acting Mining Agents are obliged to provide themselves with credentials, notwithstanding the fact that they officiate and receive salary only when the incumbents are accidentally prevented, through illness or leave of absence, I beg to inform you that said Agents are not obliged to provide themselves with credentials, in view of the circumstance that the salary they draw is accidental and the time during which they officiate is very short, not exceeding two months."

Which I communicate to you for your information.

Liberty and Constitution. Mexico November 28th 1892.—*Fernández Leal*.—To the Mining Agent of the Department of Fomento at.....

Department of Fomento, Colonization and Industry of the Republic of Mexico.—Third Section.—Circular N^o 23—As it is necessary that this office should have exact information as to the petitions for reduction or rectification of pertenencias that have been, or may be presented to you, you should give details of each petition, when the respective steps are terminated, explaining in said details, as to which case, provided for in Circular N^o 11 of the 3d of September last issued from this office, the petition in question refers to, and also as to what steps may have been taken up to the time of sending in the report.

Liberty and Constitution, Mexico, January 10th, 1893.—*Fernández Leal*.—To the Mining Agent of the Department of Fomento at.....

Department of Fomento, Colonization and Industry of the Republic of Mexico.—3rd. Section.—Circular N^o 24.—Owing to its having happened that the Office has been obliged to issued mining titles, which, besides several complete hectares, contain fractional hectares, not reaching one half, and in some cases titles for fractions of less than half a hectare, this same Office, taking into consideration that article 1st. of the law of July 6th, 1892, exempts such fractions from the payment of the annual impost, consulted the Department of the Treasury as to whether this exemption likewise has reference to the stamps that have to be affixed to mining properties.

The decision which said Department of the Treasury has given to this inquiry is to the effect that fractions of less than half a hectare should be considered exempted from the tax imposed on complete pertenencias; but in order to legalize titles, comprising mining properties of this nature, they should be classified in accordance with annexes A. and B., paragraph LXXXIV of the tariff of the ruling Stamp Law, and this has reference not only to cases relating to concessions, which comprise several hectares and fractional hectares not reaching one half, but also to such concessions as are only for a fraction less than half a hectare.

Thus, the stamps, which the parties interested have to provide for the issue of titles to properties, comprising complete hectares and fractions of hectares, have to be at the rate of ten dollars for every pertenencia or complete hectare, as well as for every fraction which reaches or passes a half, and when said fractions are less than half a hectare, whether a single fraction constitutes the property or whether it is an excess of various pertenencias, a stamp of five dollars is required on the first sheet of the title, and another stamp of 50 cents on the second sheet, in accordance with annexes A. and B., of paragraph LXXXIV of the ruling Stamp Law.

Which I communicate to you for your information, and so that when petitions for concessions are presented to you which comprise complete pertenencias and fractions less than half a hectare, or when they refer to quantities less than the half of a pertenencia, you may advise the parties interested as to the decision of the Department of the Treasury, so that they in due course can provide the stamps that are required for their titles to property as per the resolution aforesaid.

Liberty and Constitution, Mexico, February 16th, 1893. *Fernández Leal*.—To the Mining Agent of the Department of Fomento at. . . .

Department of Fomento, Colonization and Industry of the Republic of Mexico.—3rd. Section.—Circular N^o 25. As it has often happened that in the copies of documents sent by the Mining Agents to this Office, in accordance with article 37 of the Regulations of the ruling law, the copy of the extract, referred to in article 21 of the Regulation, is omitted, mention being merely made of it in the documents, this Office, taking into consideration the importance of strictly observing the provisions regarding the framing of the extract contained in above Article

21 of the Regulation, requests you not to make the omission referred to, and on sending in the copies of the documents to include the copy of the respective extracts, subsequent to the proof of the nomination of the expert having been accepted, as laid down in the aforesaid article 21 of the Regulation.

Liberty and Constitution. Mexico, February 21st. 1892.—*Fernández Leal*.—To the Mining Agent of the Department of Fomento at

Department of Fomento, Colonization and Industry of the Republic of Mexico.—Third Section.—Circular N^o 26.—As some difficulties have arisen with regard to the sending to this capital of the stamp that are required for the titles to mining properties, and which, according to the instructions on the subject, given in Circular N^o 19 from this Office of November 14th. last year, the miners were to deposit with the local post office, this same office consulted with Treasury, as to the advantages to be derived from the miners depositing the value of the stamps required for their titles with the Stamp Office in each district, and that the General Revenue Office in this capital, after receiving advice from the corresponding local Office, would then deliver said stamp to this Department.

To this inquiry the Department of the Treasury answered as follows:

"I had the honor to receive your communication N^o 5,929 of January 20th, last, in which you are pleased to consult with this Office, as to whether, in order to facilitate the miners in the payment of the stamps required for their titles to property, the value of such stamps could be deposited with the stamp offices in the same district as the Mining Agencies, and whether the General Revenue Office in this capital could, after receiving advice from the respective Office, in due course deliver to your Office the stamps, the value of which had been deposited. In reply I have the honor to inform you that there is no objection to the carrying out of what you propose, because, on the value of the stamps required for mining titles, being paid in any of the revenue offices, they can be delivered by the General Office in this capital, in view of the certificate that will be issued by the Office where the deposit is made."

Which I communicate to you for your information, and so that when necessary you can notify the parties interested of this new decision, advising them at the same time that the said Circular N^o 19 is cancelled for the present.

Liberty and Constitution. Mexico, February 25th. 1892.—*M. Fernández Leal*.—To the Mining Agent of the Department of Fomento at

Department of State and Office of the Treasury and Public Credit — Mexico.—8th. Section.—The President of the Republic has been pleased to send me the following decree:

"*PORFIRIO DIAZ Constitutional President of the United States of Mexico, makes known to their inhabitants:*

"That the Congress of the Union has been pleased to decree the following:

The Congress of the United Mexican States decrees:

Art. 1st. The time indicated in Article 2 of the law of June 6th. last is extended to June 30th. 1893, for the owners of mines to present their titles in the respective Treasury Offices, with the object of entering them in the register of mining properties, the stamps prescribed in said law having to be affixed to them.

Art. 2nd. In the absence of original titles, it will be sufficient to present the last transfer of the property; but in case not even the lat-

ter is it hand, the parties interested must then, in order to enjoy the advantages of the extension, present a declaration in duplicate before the 31st of December next, in which, manifesting to speak the truth, they will declare the number of hectares comprising the property ("pertenencias") and on one of the declarations they will affix stamps at the rate of \$10 per hectare. They must also make the payment of two thirds of the annual impost, in the form laid down in the regulations of the Department of the Treasury.

Art. 3rd. The copy of the declaration, on which the stamps are affixed will be returned to the parties interested after the titles have been presented within the time specified by this law and in the manner laid down in the regulations, and on being claimed, duly registered, at the respective Treasury Office. In case it should be a question of titles issued by the Department of Fomento, the stamps to be affixed will be supplied by the Treasury, free of charge, for an amount equal to those on the declaration referred to in Article 2.

Art. 4. Extension is also given, but only to such mine owners as comply with the requirements established in the preceding Articles, of the time fixed for the imposing of fines in the first two paragraphs of Article 6 of the law of June 6th last, and said extension will be until the 1st. of July of 1893.

Art. 5. The rates fixed in Articles 3 and 4 of the law of June 6th of the present year, for iron and mercury mines and deposits, are modified, the value of the stamp to be affixed on the title to the property, according to the number of hectares, being reduced to one dollar, and the annual impost to \$1.50 per each pertenencia or hectare.

Art. 6. The Executive is authorized to make such modifications in the laws of the 4th and 6th of June last as he may deem expedient for the improvement and development of the mining industry.

Justino Fernández, President of Deputies.—*R. Dondé*, President of Senators.—*Rosendo Pineda*, Secretary of Deputies.—*Carlos Quaglia*, Secretary of Senators.

In view of which, this decree is ordered to be printed, published and circulated.

Given at the Palace of the Executive Power of the Union, in Mexico, October 31st 1892.—*Porfirio Díaz*.—To the Secretary of State, and Office of the Treasury and Public Credit, Mr. Matías Romero.

Which I communicate to you for your information. Mexico, October 31st 1892.—*Romero*.—To.....

Department of State and Office of the Treasury and Public Credit. —Mexico. —8th. Section. —Desk N^o 2.—Circular N^o 20.—In sending you copies of the decree issued by the Congress of the Union under date of October 31st last, in which the time fixed by the law of June 6th 1892 for the presenting for the registration of mining titles, is extended, and the rates assigned to iron and mercury mines, are modified, I, in order to comply with the desires of the President of the Republic, communicate to you following resolutions:

1. When, in virtue of the exemption granted by Article 2, the declaration alone is presented, the Offices of the Treasury will be careful to cancel the respective stamps on the principal copy, making the corresponding registration and entry, and they will forward the duplicate to this office, together with the report required, as per the regulation of June 30th, last. The stamped copy will remain in the possession of the offices of the Treasury, in order that, on the presentation of the original titles, they may be confronted and rectified with the declaration made, the Department of the Treasury being duly informed should there be any discrepancy.

2. On making the note on the titles that they have been registered an annotation will also be made to the effect that the corresponding stamps have been cancelled on the copy of the declaration which accompanies said titles.

3. On receiving the declarations mentioned in Articles 2 and 3 of the law of October 31st last, the offices of the Treasury will exact the payment of the first two thirds of the annual impost, delivering to the payer a certificate of the payment, which will be used to claim, in exchange, from the corresponding Stamp Office the voucher designated in Article 22 of the Regulations of June 30th., with the stamp corresponding to the two thirds paid, duly cancelled.

4. When it is a question of reducing or rectifying *pertenencias* designated in previous titles, the payment of the mining impost will be calculated according to the measurements stated in the original titles, up to the date of their modification, and after such date according to such measurements as may be made, with the understanding that the payment of the impost is obligatory on all mining concessions from the 1st. of July of the present year onwards.

Mexico, November 1st. 1892. — *Romero.* — To.....

Department of Treasury and Public Credit.—8th. Section.—Desk N^o 2.—The President of the Republic has been pleased to remit me following decree.

PORFIRIO DIAZ, Constitutional President of the United States of Mexico, to the Inhabitants thereof, be it known:

That, in virtue of the authority granted to the Federal Executive in Article 6 of the law passed by the Congress of the Union on October 31st. last, for the purpose of making the modifications in the laws of the 4th. and 6th of June 1892, which may be deemed necessary for the improvement and development of the mining industry, he has been pleased to decree:

Art. 1. The time fixed, in Articles 4 and 5 of the law of June 6th. 1892, for the payment of the annual mining impost, will be reckoned from the 1st of November of the present year, and not from the 1st. of July last, the date indicated in said Articles.

Art. 2 The mine owners, who may have paid the third, corresponding to the 1st. of July to the 31st. of October 1892, will be reimbursed the amount, in stamps of the mining impost, which will be handed them by the Stamp office in which the payment may have been made, they being affixed and cancelled on the respective voucher corresponding to the third of a year from November 1892 to February 1893 inclusive. To persons who may have made the payment for such period the said reimbursement will be made in order to be applied to the third of a year corresponding to March to June 1893.

Art. 3. Concessionaires of mines who may have solicited and obtained, subsequent to July 1st. 1892, a reduction of their *pertenencias*, will, in virtue of the exemption of the first third of the present fiscal year, made by this decree, be entitled to reimbursement of the excess they may have paid on mining titles, and on the annual impost as determined in the preceding Article.

Art. 4. Concessionaires of mining zones, who renouncing the rights granted them by their contracts may have chosen to abide by the new law, should present their title and new declarations in accordance with Article 3 of the Regulation of June 30th last, within the time of two months from the date of the present decree, the annual payment being computed from the 1st. of November 1892, or from the date on which the Department of Fomento approves the opinion, should the latter be subsequent to the date mentioned. In virtue whereof this decree is ordered to be printed, published and circulated.

Given at the Palace of the Federal Executive Power in Mexico, on December 31 st. 1892. — *Porfirio Díaz.* — To the Secretary of State and Office of the Treasury and Public Credit, Lic. Matías Romero. — Present. — And I communicate it to you for your information. Mexico December 31st 1892. — *M. Romero.* To.

Department of Fomento, Colonization and Industry of the Republic of Mexico.—Third Section.—Circular No. 27.—The Department of the Treasury in its communication No. 5,811 of the 3d instant writes as follows to the Department of Fomento:

"Some Mining Agents receive and retain on deposit amounts that are destined for the payment of the annual mining impost, for which they have not received any authority, and as this practice is contrary to the ruling regulations, and may cause annoyances and difficulties not only to the payers but also to the offices delegated to collect said impost, I beg to advise you that you will please inform said Agents, in case your Office is of the same opinion as that of Treasury, that, although they, by circular No. 19 of August 15th 1892, are authorized to receive the mining titles that may be presented to them, thus to a certain extent exercising the duties of the Treasury Office, this authority does not comprise the collection of the mining impost, and for such reason they should abstain from receiving, in this respect, amounts referred to in said circular and in the law of October 31st limiting themselves to the exact from the interested parties that they justify having deposited in the respective Treasury or Stamp Office the amount of two thirds corresponding to the present fiscal year, for the purpose of taking the necessary step with the declarations and titles that they may receive in virtue of said circular."

Which I transmit to you for your information requesting you, in instances where the parties interested wish to deposit the sums referred to in the above circular of the Department of the Treasury, you will abstain from receiving such amounts and give the interested persons the corresponding explanation on the object.

Liberty and Constitution. Mexico, April 12th. 1892.—*M. Fernández Leal*.—To the Mining Agent of the Department of Fomento at

(Circular No. 28 relates to the sending of a copy of Federal stamp law to the Agent of the Secretary of Fomento, for which reason it is not inserted here.)

Department of Fomento, Colonization and Industry of the Mexican Republic.—Section 3rd.—Circular No. 29.—Cases having arisen in which persons have expressed a desire to reduce the number of Mining Claims which they had solicited, before the expiration of the term of four months which the Law grants for the investigation, in which cases it appears there is no necessity of the interested party withdrawing his first petition in order to present a fresh one, the president of the Republic, to whom I reported the question, has seen fit to rule: That if the petition for reduction is presented before the expert has made the measurements, the Agents will notify the latter, in order that he may make those measurements in accordance with the new wishes of the interested party. Should the expert have already presented his plans, the Agent will make a fresh appointment, so that at the expense of the interest party and within a period which shall not exceed that wanting to complete the four months, the expert may make the reduction applied for.

In both cases the Agent will take note of this reduction in the records and will notify the public thereof by an advertisement in the Official periodical of the State, and on the notice board of the Agency, the interested party covering the expense of the advertisement in the periodical.

Liberty and Constitution. Mexico November 20th. 1892. (Signed) *Fernández Leal*.

Department of Fomento, Colonization and Industry of Mexican Republic.—Section 3rd.—The President of the Republic has been pleased to address me the following decree:

PORFIRIO DIAZ, Constitutional President of the United States of Mexico, to the inhabitants thereof, know ye:

That the Congress of the Union has seen fit to decree as follows:

The Congress of the United States of Mexico decrees:

Sole Article. The Executive is authorized, during the period of one year from the date of the promulgation of the present law, to make contracts for the exploration and working of gold mines and auriferous placers, in accordance with the ruling minings laws, and the following clauses by which said laws are amended:

I. The contracts will have the form of a concessions which will be granted freely by the Executive, and under the supposition that sufficient data will be collected to prove that gold exists within the exploration zone.

II. For the purposes of this laws all deposits of gold, whether alluvial or not, will be considered as gold mines, as well as such deposits in which the gold is found mixed with another mineral in such proportion that the commercial value of the gold is in excess of the value of the other minerals.

III. No concern will be looked upon as a gold mine unless the average of the minerals, assisting in all the claims forming the company, shall contain the minimum quantity of gold mentioned in the foregoing clause.

IV. As soon as the nature of the mine changes, in such wise that the average referred to in the foregoing clause is not obtained, the contracts, made in conformity with this law, will be rescinded.

V. In every contract the perimetre of the exploration zone will be clearly defined.

VI. Within the perimetre of such zone the concessionaires can designate and acquire as many mining claims and surpluses of such as can be located on the unoccupied land, or they can indicate as incorporated in the zone, the claims and surpluses of such belonging to the said concessionaires prior to the date of the contract, as well as those which they may acquire later by purchase or other legal title.

VII. The concessionaires will procure exploration permits which will be subject to regulations of the ruling law and any other persons or company is prohibited from making another exploration for any kind of metal in the same zone; such permits will however be given for the non-prorogable time of six months and at the expiration of such time, and during the two subsequent years neither the concessionaires nor any other person can obtain one of these exceptional exploration permits.

VIII. The concessionaires may introduce into Republic free of import duty the machinery, tools, utensils and apparatus necessary for exploring and working, as well as the construction material necessary for the mines metallurgical offices with the understanding that they must in each case make a previous arrangement with the Treasury Department and without prejudice to the regulations which such Department may decree.

By the fact of the concessionaires selling, without the permission of the Government, all or portion of what they import free of duty, in accordance with the present clauses, they will lose what they may have sold as well as the privileges granted in their contract, unless the sale has been made owing to bankruptcy or liquidation.

IX. The concessionaires will enjoy a reduction of the annual mining tax during ten years, in such wise, that paying in the first year only one tenth of the existing tax, that may rule in that year.

X. The concessionaires will, during the years, be exempted from all federal tax, excepting that fixed in the preceding clause, taxes payable in stamps and coinage, maintenance and assay taxes.

XI. The concessionaires will, during the first three years, invest a capital of at least \$500,000 in their undertaking which shall increase to \$1,000,000 during the five following years.

XII. The concessionaires will, within the time and in the manner laid down in the contract, present plans, mineral and descriptive samples, and geological specimens as a result of the respective exploration.

XIII. The concessionaires will allow the presence of an inspecting engineer, nominated and paid by the Executive, at the works of exploration and development.

XIV. The concessionaires will guarantee the fulfilment of their obligations by a deposit of at least \$10,000 in bonds of the public debt, which they will make on signing the contract, and which can not be retired until they have given proof of having invested \$200,000 of the capital referred to in clause II. If the deposited bonds should be entitled to interest the depositors may in due course retire the coupons for collection.

XV. The exemption from taxes referred to in clauses 9 and 18 does not include the exploiting of alluvial gold, because in such case the concessionaires, if they are the discoverers, will pay a third part of the taxes that may be in force during the time the exploiting lasts.

XVI. The concessionaires will, within at least two years of the contract, erect, a metallurgical establishment, or any other work which, in the judgment of the Department of Fomento, is equivalent in value to said establishment.

And therefore, I order that it be printed, published, circulated and duly complied with.

Given in the Palace of the Executive in Mexico, on the fourth day of June eighteen hundred and ninety four.—*Porfirio Díaz*.—To the Engineer Manuel Fernández Leal, Secretary of State and of the Department of Fomento, Colonization and Industry.

And I communicate the same to you for your information and other purposes.

Liberty and Constitution. Mexico, June 6 1894.—*Fernández Leal*.

Department of Fomento, Colonization and Industry of the Mexican Republic.—Section 3rd.—Circular No. 30.—In order to avoid in the future, the abuses that are frequently being committed in connection with the reduction in the number of mining claims that have been previously solicited and are in course of investigation, as well as the withdrawals that are presented during the investigations, which abuses consist in the fact that simultaneously with the petitions for reduction or withdrawal, persons who are in collusion with the petitioners present petitions for the concession of free ground before the reduction or withdrawal reaches the knowledge of the public, thus preventing *bona fide* miners from soliciting concessions; the President of the Republic, acting under the authority to regulate and fix periods, which was granted to him by the Law of the 4th. of June 1894, has been pleased to rule as follows:

1. Whenever it is desired to reduce the number of the claims already petitioned for, and during the term of investigation of the same, it will be done in accordance with the provisions of circular No. 29 of this Department, of the 20th of November 1893; on the understanding that the period during which the notice of reduction must remain on the Notice board of the Agency, shall be fifteen days.

The new petitions for concessions on the ground that is thus left free, which may be presented in accordance with the law and its Regulations, shall only be received and registered after the expiration of the above term.

2. The party interested in the reduction will be bound to present to the Agency, before the investigation of his petition is terminated,

the numbers of the Official Periodical, in which the respective publication appears, as referred to in the concluding part of Circular No. 29.

3. In the case of a voluntary withdrawal, which can be admitted through the non-expiration of the periods required by the Regulations without the legal requisites having been fulfilled, the Agents will proceed to publish that withdrawal on the notice board for the term of fifteen days, and until this term has elapsed, no fresh petitions which may be presented in accordance with the Law and Regulations for such free ground, will be admitted and registered.

4. Both in the cases of reduction as well as voluntary withdrawal, should the respective petitions be presented without the previous investigations having complied with all the requisites of the Law and Regulations, the Agents will record that circumstance in the records, will not allow the petitions to go any further, and at the expiration of the proper term, will forward the papers to the Department of Fomento for the proper decision to be given.

Liberty and Constitution. Mexico, March 1st. 1892. — *M. Fernández Leal*. — To the Mining Agent of the Department of Fomento.

Department of Fomento. Colonization and Industry of the Mexican Republic of Mexico. — Section 3rd. — Circular No. 31. — In view of the difficulties that have arisen in the return of the stamps to the petitioner for mining concessions, when those petitions are not approved and the respective titles not issued, or when the petitioners withdraw, the President of the Republic has seen fit to give orders, that from the date on which this Circular is received, the Agents will not ask or receive from the petitioners, the stamps which are to be affixed on the titles to the mines for which petitions are under investigation, and the Agents will also warn the petitioners that they are not to forward to the Department, the stamps required to legalize the titles to the mines, as the stamps will be demanded by this Department from the petitioners, either directly or through the Agents whenever the investigation is closed and the issue of the respective titles is ordered, thus modifying the provisions of Art. 35 of the Regulations.

And I communicate the same to you for its compliance.

Liberty and Constitution. Mexico, September 1st. 1892. — *Fernández Leal*.

Department of Fomento. Colonization and Industry of the Mexican Republic. — Section 3rd. — The President of the Republic has been pleased to address to me the following decree:

PORFIRIO DIAZ, Constitutional President of the United States of Mexico, to the inhabitants thereof, know ye:

That the Congress of the United States of Mexico decrees:

Art. 1. On the conclusion of the peremptory term of three months which is specified by Art. 13 of the Mining Law for the granting of claims exclusively to the explorer, no new exploration permits will be issued for the ground that has been explored, nor will notices be allowed for such exploration until after the lapse of six months, during which the ground will remain free for mining claims to be solicited therein. In those Mining Districts in which claims have already been granted and taken possession of, the exploration shall only be made in ground distant 200 metres from the boundaries of those claims and in abandoned mines.

In all these cases, the explorer must clearly and exactly state the situation and boundaries of the ground.

Art. 2. The Mining Agents of the Department of Fomento must

publish on the notice board of the Agency, a copy of the permit, notification or administrative ruling referred to in the same Art. 13 of the Mining Law, specifying at the end of said copy the exact dates on which the exploration is to commence and terminate.

Mexico 10th. December 1897.—*R. Herrera*, Vice President of the Deputies.—*Mariano Martínez de Castro*, Vice President of the Senate.—*Alonso Rodríguez Miramón*, Secretary of the Deputies.—*A. Cistañares*, Secretary of the Senate.

And therefore I order that it be printed, published circulated and duly complied with.

Given in the Palace of Executive in Mexico on the 13th day of December 1897.—*Porfirio Díaz*.—To Mr. Mañuel Fernández Leal, Secretary of State and of the Department of Fomento, Colonization and Industry.

And I communicate the same to you for your information and other purposes.

Liberty and Constitution. Mexico September 3rd. 1892.—*M. Fernández Leal*.

Department of Fomento, Colonization and Industry.—Section 4th. —The President of the Republic has been pleased to address to me the following decree:

“*PORFIRIO DIAZ, Constitutional President of the United States of Mexico, to the inhabitants thereof, know ye:*

That the Congress of the Union has seen fit to decree as follows.

The Congress of the United States of Mexico decrees:

Art. 1. From the first day of July of the present year, stamps of the class required by Law, at the rate of Two Dollars and fifty cents for each claim, will be affixed and cancelled on all titles to mines which do not carry gold, silver or platinum, and are liable to the payment of the Federal Mining Tax; and from and after said day, those mines will only be liable to the annual tax at the rate of two dollars and fifty cents for each claim.

Art. 2. The mines referred to in the preceding article will pay the same tax as those of gold, silver and platinum, when the ores therein contained carry gold, silver or platinum in any proportion.

Should the proportion of these precious metals not exceed in any part of the vein or ledge, the limit specified in Art. 11 of the Law of the 27th., of March 1897, * the Executive may reduce the annual tax to five dollars per hectare on the claims of any one owner which exceed fifty but do not come up to one hundred, and to two dollars and fifty cents per hectara on the claims which exceed one hundred.

Art. 3. The incorrectness of the data furnished by the tax payer with regard to the payment of the tax, as well as the omission of the timely notice that the ores extracted from the mine contain gold, silver or platinum, will render that miner liable to a fine equivalent to three times the tax that he ought to have paid, from the date on which the false information was furnished or the notice ought to have been given, and on the understanding that in no case shall the time for which the fine is levied be less than one year.

Art. 4. Art. 5, of the Law of the 31st. of October 1892, will be repealed from and after the 1st. of July of the present year; but during the financial year of 1898 to 1899 the iron and quicksilver mines now in operation or to which titles have been issued before this law comes into force, will continue paying the tax specified in Art. 5 of said Law.

*The Article cited from the Law of the 27th of March 1897 reads as follows: Art. 11. The ores which contain less than two hundred and fifty grams of silver or ten grams of gold per ton will be exempted from the payment of the taxes and dues imposed by this law, and in cases of an alloy of the two metals the proportion between the two limits shall be taken into account.

After the expiration of said financial year, the iron and quicksilver mines will pay the taxes specified in the preceding articles.

S. Camacho, President of Deputies.—R. Dondé, President of the Senate.—Daniel García, Secretary of the Deputies.—A Castañares, Secretary of the Senate.

And therefore I order that it be printed, published, circulated and duly complied with.

Given in the Palace of the Executive in Mexico, on the 3rd. day of June 1898.—Porfirio Díaz.—To the Secretary of State and Department of the Treasury and Public Credit, Lic. José I. Limantour.

And I communicate the same to you for the necessary purposes.

Mexico, June 3rd. 1898.—J. I Limantour.—To the Secretary of Fomento.

I transcribe it to you for your information and other purposes.

Liberty and Constitution. Mexico, 3rd. of June 1898.—Fernández Leal.



DEPARTMENT OF JUSTICE

AND

PUBLIC INSTRUCTION.

SECTION FIRST.

The President of the Republic has been pleased to address to me the following decree:

“FORFIRIO DIAZ, Constitutional President of the United States of Mexico, to the inhabitants thereof, know ye:

That the Congress of the Union has seen fit to address to me the following decree:

The Congress of the United States of Mexico decree:

Article first. The railroad, mining and public works companies as well as all other joint stock companies will be allowed to issue, subject to this law, obligations or bonds with or without special guarantees.

These bonds or obligations will be considered, for all legal purposes, as personal property, even when guaranteed by mortgage; they will confer equal rights on their individual share of each bond-holder in the debt constituted by the contract which gives rise to the issue, which will nevertheless preserve the judicial character given to it by the laws.

Article second. The obligations may be issued either in a specific name or to bearer, and they will be subject to all the provisions relating to the shares of joint stock companies which are contained in the three first sections of article 180 and in articles 181 and 182 of the Commercial Code of the 15th of September 1889.

Article third. No agreement will be allowed for the obligations to be redeemed by drawings at any price above that of the issue at par, or with any premium or bonus, unless they comply with the following requisites:

I. That the interest payable to all the bond holders shall not be less than four per cent per annum.

II. That the sum which according to the contract is to be from time to time dedicated to the redemption of the obligations and payment of interest, shall be the same during the whole period stipulated for such redemptions.

Any bond-holder will have authority to demand the cancellation of the whole issue that may be made contrary to the provisions of this article.

Article fourth. The obligations may be issued by public subscription or in accordance with special contracts, which must always be recorded by public instrument.

When the obligations are issued by public subscriptions it must be preceded by the publication in the official periodical and any other in the place of residence of the Company, of a notice which will set forth.

I. The name, object and residence of the Company, with date of the constitution thereof citing the deed of association or the records of the General Meeting by which it was organized.

II. The date of the General Meeting of share holders in which the issue was decided on, or else a reference to the deed of association that authorizes such issue without the necessity of a resolution by the General Meeting.

III. The amount of the obligations previously issued, with an indication of their principal conditions respecting guarantees, interest and dates of redemption.

IV. The conditions of the subscription, one of which must be, that the subscribers at once pay in to some Bank or commercial house, at least ten per cent of the amount under subscription.

V. The number and nominal value of the obligations, the interest payable thereon and dates for such payment, as well as the dates, conditions and methods under which the redemption of the obligation is to be carried out.

VI. The purpose to which the proceeds of the issue are to be dedicated, whenever it is intended to present it as a guarantee or security for the debt.

VII. The special guarantees that are offered to the bond holders.

VIII. A balance sheet of the company, specially prepared in view of the issue of obligations.

IX. The amount that will annually be placed by the Company at the disposal of the representative of the bond-holders, for the payment of his own remuneration and the expenses incurred in the execution of his office.

This notice will be inserted in the "Subscription Lists," and in the event of any of the above requisites being omitted from said notice, the Tribunal will have power to declare the issue null and void, on petition of any of the bond-holders.

Article fifth. No issue of bonds shall be made for any sum larger than the assets show in the last approved balance sheet; but nevertheless, companies will be allowed to issue bonds even in excess of such assets, when they represent the value or price of the property or securities whose purchase is contracted for and is the cause of the issue.

Article sixth. The debtor companies will convene the bond holders in a General Meeting, within the thirty days following the date on which the subscription to the bonds is closed.

The call for such meeting must be published in the official periodical and in another one in the residence of the company, for at least eight days before the day on which the meeting is to be held, and it will specify the day, hour and place of the meeting.

The meeting will be held as legally opened, with an attendance of bond-holders who represent more than the half of the amount subscribed; but in the event of the non-attendance of a sufficient number of subscribers to obtain this representation, the call will be repeated under the same conditions as the first, and the meeting will be held, whatever may be the number of bond-holders present or the amount represented.

The President or Vice-President of the Company which makes the issue, will preside over the meeting and with the approval of the same, he will appoint a Secretary and two tellers from among the bond-holders present.

Each bond-holder will have a vote in the Meeting for each bond

that he may have subscribed for, and the resolutions will be passed by a majority of the of the bonds present.

Article VII. The objects of the Meeting referred to in the preceding article will be as follows:

I. To prove that the entire amount of the bonds has been paid into some Bank or mercantile house:

II. To decide by a unanimous vote of the subscribers; and in the event of the whole of the bonds not being subscribed for, whether the issue shall be reduced to the amount already subscribed, always provided that the Company making the issue accepts such resolution.

III. To elect a General Representative for the bond-holders, who may be one of themselves or an outside person, or else to appoint a committee who shall represent the whole of the bond-holders.

IV. To approve the regulations to which the General Representative of Committee are to be subject, specifying the time that they are to continue in office, the remuneration, in the case of its being allowed, the way in which the temporary absence of the General Representative or member of the Committee is to be covered, and the regulations for the calling and opening of the General Meeting that are to be exercised by such meetings, and generally everything that relates to the joint interests of the bond-holders.

The offices of General Representative or member of the Committee, notwithstanding any stipulation to the contrary, are revocable.

Article VIII. The General Representative or Committee of the bond-holders, will have the following powers.

I. To execute in the name of the bond-holders, the contract in which their rights are set forth, always taking care that it is done by public instrument and registered in accordance with law:

II. To execute all other contracts and cancellations that may be necessary, in accordance with the stipulations and conditions of the issue, taking care that they are registered, whenever so required by law:

III. The provisions of this article shall not deprive the bond-holders of the right of proceeding individually and by executive summary suit for obtaining the payment of the coupons that may come due or of the principal due to each one by redemption, and the summary suit may be entered after proving the authenticity of the respective document by comparison with its original; but this requisite will not be required, if on demanding payment from the proper person, such document is not declared false:

IV. To call the General Meetings in accordance with the forms and conditions provided in the regulations:

V. To attend the General Meeting of the share-holders of the debtor company with the right to take part in the discussion but not to vote; and likewise to inspect all the books and documents that are placed at the disposal of said share-holders. For this purpose he must be cited to the General Meeting in the same form as the share holders.

VI. To represent the bond holders, judicially, either in person or by attorney, in all matters that refer to the exercise of their joint rights.

The powers conferred by this article on the General Representative or the Committee of bond holders, exclusively pertain to them and cannot be exercised directly by the bond holders, except in the cases provided under Articles 3 and 4 of his law.

Article Ninth. In the absence of any especial provision in the regulations referred to in Section IV of Article VII, the bond holders representing at least a fourth part of the bonds subscribed for, will have authority to take judicial proceedings for the purpose of obliging the General representative or committee, to comply with their duty and demand that a General Meeting be called. This having been solicited, notice of the Meeting and of the order of the day will be issued at least three days after the petition, so that it can be held within the thirty days following.

Article Tenth. In the event of the permanent absence of the Gen-

eral Representative or of any member of the Committee, his place will be filled in accordance with the provisions of the regulation referred to in Section IV of Article VII, and if for any reason it should be found impossible to proceed in that form, any one of the bond-holders may apply to the judicial authority in order that it may appoint a temporary Representative, who shall without delay call a General Meeting of the bond-holders, which will proceed to the election of a new Representative.

Article Eleventh. The debtor Company shall have no power to dispose, either wholly or in part, of the funds proceeding from the issue of obligations until the General Meeting referred to in Article VI a been held and the instrument under which the rights of the bond-holders are secured, has been signed and registered by the General Representative or Committee of the bond-holders.

The Bank or Mercantile House with which the funds have been deposited, will satisfy itself of the fulfillment of this provision, under its own responsibility and in case of doubt, it may, before delivering such funds, demand the explicit consent of the General Representative or Committee of bond-holders.

Article Twelfth. Whenever the obligations have been issued under special contracts, they will comply with the requisites referred to in Sections I, II, III, V, VI, VII, VIII and IX of Article IV, and the regulation referred to in Section IV of Article VII, must be prepared and set forth in a public instrument before the obligations are issued.

When the obligations are to be issued in favor of a Company, both the aforesaid regulations as well as the appointments that are to be made, will be valid and binding on all the share-holders, always provided that they are approved by the majority of these, unless otherwise provided by the by-laws of said Company.

Article Thirteenth. The wording of the bonds will succinctly set forth the data that are required for the notices referred to in Sections I, V and VII of Article 4, as well as the date and place in which the contracts is executed authorizing the issue, the date and place of registry of such contract or the minutes of the first general Meeting of share-holders. The bonds will be signed by the legal representative of the debtor Company and countersigned by the representative of the bond-holders.

Article Fourteenth. Every contract authorizing the issue of obligations and the minutes of the first general meeting of the holders thereof, if the issue is made by public subscription, will be inscribed in the Commercial Registry of the place in which the debtor Company has its residence.

Article Fifteenth. Articles 173, 203, 204, 205, 210 and 211 of the Commercial Code of the 15th of September 1889 will apply to the general meetings of the bond holders, as far as they are not contrary to his law and to the regulations that must be issued in accordance with Section IV, Article 7.

Article Sixteenth. In the event of the bankruptcy of a Company that has issued obligations of the class provided for in Article 3, they shall only appear amongst the liabilities for the amounts due and unpaid, and for the sum that they may amount to, after deducting from their present value the installments not yet due. This deduction will be made at the nominal rate of interest stipulated with respect to such obligations.

Article Seventeenth. In the event of the bankruptcy of the debtor company, the bond-holders cannot be compelled to pay in installments on the obligations, that may be due on the date of bankruptcy.

Article Eighteenth. The obligations that may be issued abroad by the companies which have been established in this Republic, will take no legal effect therein unless the issue is made in accordance with the provisions of this law.

PROVISIONAL ARTICLE.

The holders of bonds already issued, or whose issue may have been contracted for in the Republic before the date of the present law, will enjoy the benefits thereof as far as it is not contrary to the legally executed agreements with the debtor Companies and always provided that they previously appoint their general representative or committee.

M. Peniché, President of the Deputies. — *A. Falcón*, President of the Senate. — *Daniel García*, Secretary of the Deputies. — *A. Castañares*, Secretary of the Senate.

And therefore, I order that it be printed, published, circulated and duly complied with.

Given in the National Palace of Mexico, on the 29th of November 1897. *Porfirio Díaz*.



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